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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

Rapporteur: Ms. Elena **Molaroni** (San Marino)

I. Introduction

1. At its 2nd plenary meeting, on 13 September 2006, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-first session the item entitled "Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", and to allocate it to the Third Committee.

2. The Committee considered the item at its 22nd to 36th, 43rd to 48th, 50th, 51st and 53rd meetings, from 18 to 20, on 23, 25 to 27 and 30 October, and on 1, 9, 10, 13, 16, 17, 21, 22 and 28 November 2006. At its 22nd to 36th meetings, the Committee held a general discussion on 67 (b) jointly with sub-item (c) "Human rights situations and reports of special rapporteurs and representatives". An account of the Committee's discussion is contained in the relevant summary records (A/C.3/61/SR.22-36, 43-48, 50, 51 and 53).

3. For the documents before the Committee under this item, see A/61/443.

4. At the 22nd meeting, on 18 October, the United Nations High Commissioner for Human Rights addressed the Committee and engaged in a dialogue with the representatives of the Sudan, Finland (on behalf of the States Members of the United Nations that are members of the European Union), India, Cuba, China, New Zealand, Japan, Benin, Kenya, Uzbekistan, Canada, the Libyan Arab Jamahiriya, Turkey, Georgia, Mexico, Burkina Faso, Guatemala, the United States of America and Togo (see A/C.3/61/SR.22).

* The report of the Committee on this item will be issued in five parts, under the symbol A/61/443 and Add.1-4.

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5. At the same meeting, introductory statements were made by the Director of the Division for Social Policy and Development of the Department of Economic and Social Affairs and by the Officer-in-Charge of the New York Office of the United Nations High Commissioner for Human Rights. A statement was made by the representative of Cuba, to which the Director of the Division for Social Policy and Development responded (see A/C.3/61/SR.27).

6. At the 23rd meeting, on 19 October, the Chairperson-Rapporteur of the Working Group on the right to development made a presentation and engaged in a dialogue with the representatives of Nepal, Cuba, Finland (on behalf of the States Members of the United Nations that are members of the European Union), Azerbaijan, Georgia and the United States of America (see A/C.3/61/SR.28).

7. At the same meeting, the Special Rapporteur on the human rights of migrants made a presentation and engaged in a dialogue with the representatives of India, Nepal, Finland (on behalf of the States Members of the United Nations that are members of the European Union), Azerbaijan, Georgia and the United States of America (see A/C.3/61/SR.28).

8. At the 25th meeting, on 20 October, the Special Rapporteur on extrajudicial, summary or arbitrary executions made a presentation and engaged in a dialogue with the representatives of Australia and Finland (on behalf of the States Members of the United Nations that are members of the European Union).

10. At the 27th meeting, on 23 October, the Special Representative on the situation of human rights defenders made a presentation and engaged in a dialogue with the representatives of Chile, Cuba, Finland (on behalf of the States Members of the United Nations that are members of the European Union), Norway, Canada, Switzerland, Benin, Indonesia and the United States of America (see A/C.3/61/SR.27).

11. At the 28th meeting, on 23 October, the Representative of the Secretary-General on the human rights of internally displaced persons made a presentation and engaged in a dialogue with the representatives of Uganda, the Sudan, Serbia, Switzerland, Norway, Liechtenstein, Brazil, Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries), Colombia, Azerbaijan, Georgia, Turkey, Cote d'Ivoire and Iraq (see A/C.3/61/SR.28).

12. At the same meeting, the Special Rapporteur on freedom of religion or belief made a presentation and engaged in a dialogue with the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union), Uzbekistan, Azerbaijan, Maldives, Canada, Guinea-Bissau and Cuba (see A/C.3/61/SR.28).

13. Also at the same meeting, the representative of the Sudan made a statement (see A/C.3/61/SR.28).

14. Also at the 28th meeting, the Special Rapporteur on the independence of judges and lawyers made a presentation and engaged in a dialogue with the representatives of Egypt, Chile, Ecuador, Finland (on behalf of the States Members of the United Nations that are members of the European Union), Argentina, Brazil, Guinea-Bissau, Guatemala, Iraq, Japan, El Salvador, Cuba and Colombia (see A/C.3/61/SR.28).

15. At the 29th meeting, on 25 October, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism made a presentation and engaged in a dialogue with the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union), Switzerland, the United States of America, Cuba, Turkey, Benin, Mexico and the Republic of Korea (see A/C.3/61/SR.29).

16. At the same meeting, the Special Rapporteur on violence against women, its causes and consequences made a presentation and engaged in a dialogue with the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union), Turkey, Iran (Islamic Republic of), Chile, Canada, Mexico, Swaziland, the Russian Federation, New Zealand, the Libyan Arab Jamahiriya, Zambia and Cuba (see A/C.3/61/SR.29).

17. Also at the same meeting, the Independent Expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights, made a presentation and engaged in a dialogue with the representatives of Kenya and Cuba (see A/C.3/61/SR.29).

18. At the 30th meeting, on 25 October, the Special Rapporteur on the right to food made a presentation and engaged in a dialogue with the representatives of Gabon, Egypt, Ecuador, Togo, the Democratic People's Republic of Korea, the Libyan Arab Jamahiriya, the Sudan, Palestine, India, Brazil, Lebanon, Cuba, Finland, Mali, Iran (Islamic Republic of), Morocco, Algeria, Israel, the Russian Federation, China, Myanmar, Ethiopia and Norway (see A/C.3/61/SR.30).

II. Consideration of proposals

A. Draft resolution A/C.3/61/L.13 and Rev.1

19. At the 24th meeting, on 19 October, the representative of Cuba (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Azerbaijan (on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference) and Palestine (on behalf of the States Members of the United Nations that are members of the Group of Arab States), introduced a draft resolution entitled "Consequences of the Israeli invasion for the human rights situation in Lebanon" (A/C.3/61/L.13), which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action of 1993, and recalling the International

Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and other human rights instruments,

"*Guided* by relevant human rights instruments and international humanitarian law, in particular the Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land, which prohibit attacks on and bombardment of civilian populations and objects and lay down obligations for general protection against dangers arising from military operations against civilian objects, hospitals, relief materials and means of transportation,

"*Recalling* the commitments of the High Contracting Parties to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977,

"*Stressing* that the right to life constitutes the most fundamental of all human rights,

"*Condemning* Israeli military operations in Lebanon, which constitute gross and consistent human rights violations of the Lebanese people,

"*Taking note* of the strong condemnation by the United Nations High Commissioner for Human Rights of the killing of civilians in Qana, and her call to take measures to protect civilian lives and civilian objects,

"1. *Emphasizes* that Israeli attacks and unwarranted killing of innocent civilians and the destruction of houses, property and infrastructure in Lebanon are a breach of the principles of the Charter of the United Nations, international law and international humanitarian law and constitute flagrant violations of human rights;

"2. *Condemns* the massive bombardment by Israel of Lebanese civilian populations, especially the massacres in Qana, Marwaheen, Al Duweir, Al Bayadah, Al Qaa, Chiyah, Ghazieh and other towns of Lebanon, causing thousands of deaths and injuries mostly among children and women, the displacement of up to one million civilians, and outflows of refugees fleeing heavy shelling and bombardment of the civilian population, thus exacerbating the magnitude of the human suffering of the Lebanese;

"3. *Also condemns* the Israeli bombardment of vital civilian infrastructure resulting in extensive destruction and heavy damage to public and private property;

"4. *Calls upon* the international community urgently to provide the Government of Lebanon with financial assistance in support of the national early recovery and reconstruction process, including the rehabilitation of victims, return of displaced persons, and restoration of the essential infrastructure."

20. At its 51st meeting, on 22 November, the Committee had before it a revised draft resolution entitled "The human rights situation arising from the recent Israeli military operations in Lebanon" (A/C.3/61/L.13/Rev.1), sponsored by Azerbaijan (on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference), Cuba (on behalf of the States Members of the United Nations that are members of the Non-Aligned Countries) and Qatar (on

behalf of the States Members of the United Nations that are members of the Group of Arab States).

21. At the same meeting, the Committee was advised that the draft resolution had no programme budget implications.

22. Also at the same meeting, the representative of Israel made a statement and requested a recorded vote on the draft resolution.

23. Also at its 51st meeting, the Committee adopted draft resolution A/C.3/61/L.13/Rev.1 by a recorded vote of 109 to 7, with 59 abstentions (see para. 123, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Andorra, Angola, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland.

24. Before the vote, statements were made by the representatives of Israel and the Russian Federation; after the vote, statements were made by the United States of America, Canada, Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries), Argentina,

Australia, Mexico, Brazil, Uruguay, Lebanon and the Syrian Arab Republic (see A/C.3/61/SR.51).

B. Draft resolution A/C.3/61/L.19

25. At the 45th meeting, on 13 November, the representative of Azerbaijan, on behalf of Afghanistan, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Chile, Costa Rica, Croatia, the Democratic Republic of the Congo, Ecuador, Fiji, Georgia, Greece, Guatemala, Jamaica, Jordan, Kazakhstan, Kyrgyzstan, Mexico, Moldova, Nicaragua, Nigeria, Pakistan, Panama, Qatar, Saudi Arabia, Senegal, Serbia, Spain, Switzerland, the Syrian Arab Republic, Tajikistan, Ukraine and Uzbekistan, introduced a draft resolution entitled "Missing persons" (A/C.3/61/L.19). Subsequently, Benin, Cameroon, Canada, the Congo, Côte d'Ivoire, Cyprus, Egypt, Ethiopia, Germany, Honduras, Haiti, Kenya, Liberia, the Libyan Arab Jamahiriya, the Niger, Peru, Romania, the former Yugoslav Republic of Macedonia, Sierra Leone, the Sudan, Tunisia and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution. The representative of Azerbaijan orally revised the draft resolution as follows:

(a) In the third preambular paragraph, the word "relevant" was inserted before the word "resolutions";

(b) At the end of the sixth preambular paragraph, the words "among others" were inserted after the words "humanitarian perspective";

(c) In the ninth preambular paragraph, the word "*Welcoming*" was replaced by the words "*Taking note with appreciation* of the ongoing";

(d) In operative paragraph 1, the words "where applicable" were inserted before the words "in the Additional Protocols thereto";

(e) At the end of operative paragraph 9, the words "and working groups" were inserted after the word "commissions";

(f) Operative paragraph 11, which read:

"11. *Urges* States to guarantee the right to form and participate freely in organizations and associations concerned with attempting to determine the fate of persons missing in connection with armed conflicts and to assist their family members",

was deleted and the remaining paragraphs renumbered accordingly.

26. At its 46th meeting, on 16 November, the Committee was advised that the draft resolution had no programme budget implications.

27. At the same meeting, the representative of Azerbaijan further orally revised draft resolution A/C.3/61/L.19, as follows:

(a) In operative paragraph 5, after the words "the armed conflicts and", the words "to the greatest possible extent" were inserted;

(b) Operative paragraph 6, which read:

"*Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to existing laws, practices, norms and standards and urges States to cooperate with each other and with other concerned actors in this area, inter alia, by providing all relevant information related to persons reported missing",

was replaced by:

"*Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to existing laws, practices, norms and standards and urges States to cooperate with each other and with other concerned actors working in this area, inter alia, by providing all relevant and appropriate information related to missing persons"

28. Also at the 46th meeting, the Committee adopted draft resolution A/C.3/61/L.19, as orally revised, without a vote (see para. 123, draft resolution II).

29. After the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/61/SR.46).

C. Draft resolution A/C.3/61/L.20

30. At the 43rd meeting, on 9 November, the representative of Egypt, on behalf of Algeria, Angola, Azerbaijan, Benin, China, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Iran (Islamic Republic of), Kenya, Malaysia, Mauritania, Moldova, Morocco, Pakistan, the Philippines, the Sudan, the Syrian Arab Republic, Uganda, the United Arab Emirates, Viet Nam, Yemen and Zimbabwe, introduced a draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/61/L.20). Subsequently, Bangladesh, Barbados, Botswana, Burkina Faso, Burundi, Cameroon, the Comoros, the Congo, Côte d'Ivoire, Ghana, Indonesia, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Malawi, Myanmar, Nicaragua, Saudi Arabia, Sierra Leone, South Africa, Suriname, Swaziland, Timor-Leste, the United Republic of Tanzania, Uzbekistan and Zambia joined in sponsoring the draft resolution.

31. At the same meeting, the Secretary announced that Moldova should not have been listed as a sponsor of the draft resolution (see A/C.3/61/SR.43).

32. At its 46th meeting, on 16 November, the Committee was advised that the draft resolution had no programme budget implications.

33. At the same meeting, the representative of Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries) requested a recorded vote (see A/C.3/61/SR.46).

34. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/61/L.20 by a recorded vote of 113 to 53, with 4 abstentions (see para. 123, draft resolution III). The voting was as follows:[1]

[1] The delegation of Armenia subsequently indicated that, had it been present, it would have voted in favour.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Chile, Haiti, Singapore.

35. Before the vote, a statement was made by the representative of Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries (see A/C.3/61/SR.46).

D. Draft resolution A/C.3/61/L.21 and Rev.1

36. At the 45th meeting, on 13 November, the representative of Peru, on behalf of Argentina, Armenia, Austria, Belarus, Belgium, Brazil, Chile, Croatia, Estonia, Ethiopia, Finland, France, Greece, Guatemala, Honduras, Kuwait, Luxembourg, Panama, Paraguay, Peru, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Uruguay, introduced a draft resolution entitled "Human rights and extreme poverty" (A/C.3/61/L.21). Subsequently, Albania, Angola, Azerbaijan, Bangladesh, Benin, Burkina Faso, Cape Verde, Colombia, the Congo, Djibouti, Ecuador, Ghana, Madagascar, Malawi, Mali,

Moldova, Monaco, Morocco, Nigeria, Rwanda, South Africa and Ukraine joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments adopted by the United Nations,

"*Recalling* its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006), as well as its resolution 59/186 of 20 December 2004 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

"*Recalling also* its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

"*Reaffirming* the internationally agreed development goals, including the Millennium Development Goals,

"*Deeply concerned* that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

"*Also deeply concerned* that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

"*Recalling* Commission on Human Rights resolution 2005/16 of 14 April 2005, as well as resolution 2005/9 of 8 August 2005 of the Subcommission on the Promotion and Protection of Human Rights,

"*Welcoming* the Summit of World Leaders for Action against Hunger and Poverty of 20 September 2004, convened in New York by the Presidents of Brazil, Chile and France and the Prime Minister of Spain with the support of the Secretary-General,

"*Welcoming also* the contribution to the mobilization of resources by the initiatives taken on a voluntary basis by groups of Member States based on innovative financing mechanisms, including those that aim to provide further drug access at affordable prices to developing countries on a sustainable and predictable basis, such as the International Drug Purchase Facility-UNITAID,

as well as other initiatives such as the International Finance Facility for Immunization, and taking note of the New York Declaration of 20 September 2004, which launched the Action on Hunger and Poverty initiative and called for further attention to raise funds urgently needed to help meet the Millennium Development Goals and to complement and ensure long-term stability and predictability for foreign aid,

"*Recognizing* that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

"*Stressing* the necessity of better understanding the causes and consequences of extreme poverty,

"*Reaffirming* that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

"*Reaffirming also* that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

"*Taking note* of decision 1/102, in which the Human Rights Council, in its first session, decided to extend by one year all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, including the mandate of the Independent Expert on the question of human rights and extreme poverty,

"1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

"2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

"3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

"4. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

"5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of

appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

"6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration, in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

"7. *Reaffirms also* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;

"8. *Reaffirms further* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, and, in this context, reaffirms the Dakar Framework for Action adopted at the World Education Forum in 2000 and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the millennium development goal of universal primary education by 2015;

"9. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites her to further pursue the work in this area;

"10. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector and the international financial institutions to proceed likewise;

"11. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

"12. *Takes note* of the reports of the Independent Expert on the question of human rights and extreme poverty submitted to the Commission on Human Rights at its sixty-first and sixty-second sessions and presented to the Human Rights Council at its second session;

"13. *Decides* to consider this question further at its sixty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms."

37. At its 50th meeting, on 21 November, the Committee had before it a revised draft resolution (A/C.3/61/L.21/Rev.1) submitted by the sponsors of draft resolution A/C.3/61/L.21, as well as China, Cuba, El Salvador, Germany, Hungary, Indonesia, Ireland, Japan, Lithuania, Malta, Mexico, the Netherlands, the Philippines, the Republic of Korea and Venezuela (Bolivarian Republic of). Subsequently,

Afghanistan, Algeria, Australia, Bolivia, Botswana, Bulgaria, Burundi, Cambodia, Cameroon, Canada, the Comoros, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Dominica, the Dominican Republic, Guyana, Haiti, Iceland, Italy, Jamaica, Kenya, Latvia, Lebanon, Lesotho, Liberia, Mongolia, Mozambique, Myanmar, Nicaragua, the Niger, Norway, Pakistan, San Marino, Senegal, Sierra Leone, Spain, Sri Lanka, the Sudan, Sweden, Thailand, Timor-Leste, Uganda, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe also joined in sponsoring the draft resolution.

38. Also at the same meeting, the Secretary read out a statement of financial provisions relating to the draft resolution (see A/C.3/61/SR.50).

39. Also at its 50th meeting, the Committee adopted draft resolution A/C.3/61/L.21/Rev.1, without a vote (see para. 123, draft resolution IV).

40. After the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/61/SR.50).

E. Draft resolution A/C.3/61/L.22

41. At the 45th meeting, on 13 November, the representative of Rwanda, on behalf of Algeria, Angola, Belgium, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, France, Gabon, Gambia, Germany, Ghana, Guinea, India, Kenya, Madagascar, Mali, Morocco, Nigeria, Rwanda, Sao Tome and Principe, Togo and the United Republic of Tanzania, introduced a draft resolution entitled "Subregional Centre for Human Rights and Democracy in Central Africa" (A/C.3/61/L.22). Subsequently, Belarus, Botswana, the Comoros, Costa Rica, Croatia, Djibouti, Egypt, Equatorial Guinea, Eritrea, Lesotho, Liberia, Nicaragua, Portugal, Sierra Leone, South Africa, Spain, Sri Lanka, Tunisia and Uganda joined in sponsoring the draft resolution.

42. At the 50th meeting, on 21 November, the Secretary read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.50).

43. At the same meeting, the representative of Rwanda orally revised the draft resolution as follows:

(a) In operative paragraph 3, after the words "human resources", the words "within the existing United Nations Office of the High Commissioner for Human Rights" were inserted;

(b) At the end of the same paragraph, after the words "culture of democracy", the words "and the rule of law" were inserted.

44. Also at the same meeting, the statements were made by the representatives of Venezuela (Bolivarian Republic of), Portugal, Cuba and Nicaragua.

45. Also at the 50th meeting, the Committee adopted draft resolution A/C.3/61/L.22, as orally revised, without a vote (see para. 123, draft resolution V).

F. Draft resolution A/C.3/61/L.23

46. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of Angola, Belarus, Botswana, Burundi, China, the Congo, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, India, Indonesia, Iran (Islamic Republic of), Kenya, the Lao People's Democratic Republic, Lebanon, Lesotho, Malaysia, Mauritania, Myanmar, Namibia, Nigeria, Pakistan, Saudi Arabia, South Africa, the Sudan, Swaziland, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe, introduced a draft resolution entitled "Composition of the staff of the Office of the United Nations High Commissioner for Human Rights" (A/C.3/61/L.23). Subsequently, Algeria, Azerbaijan, Bangladesh, Benin, Bhutan, Burkina Faso, the Central African Republic, the Democratic People's Republic of Korea, Eritrea, Ghana, Liberia, the Libyan Arab Jamahiriya, Nepal, the Russian Federation, Togo and Tunisia joined in sponsoring the draft resolution.

47. At the 46th meeting, on 16 November, the Secretary read out a statement of financial provisions relating to the draft resolution (see A/C.3/61/SR.46).

48. At the same meeting, the representative of Cuba announced that Burundi had withdrawn as a sponsor of the draft resolution. He orally revised the text as follows:

(a) The second preambular paragraph, which read:

"*Recalling also* Commission on Human Rights resolutions 2004/73 of 21 April 2004 and 2005/72 of 20 April 2005",

was replaced by:

"*Taking note* of all relevant resolutions on this issue adopted by the General Assembly and the Commission on Human Rights";

(b) In the fourth preambular paragraph, the words "skewed nature of" were replaced by the words "imbalance in";

(c) At the end of the fifth preambular paragraph, the following phrase was inserted: "and noting the low representation from the United Nations regional groups of African, Asian, Eastern European, and Latin American and Caribbean States in the staff of the Office of the United Nations High Commissioner for Human Rights";

(d) A new sixth preambular paragraph was inserted reading:

"*Reaffirming* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters";

(e) In operative paragraph 1 (b), before the word "mechanism", the word "temporary" was inserted;

(f) In operative paragraph 3, the year "2008" was replaced by the year "2009";

(g) In operative paragraph 4 (a), after the word "recommendations", the words "contained in the report" were inserted;

(h) Operative paragraph 5, which read:

"*Decides* to continue its consideration of the question at its sixty-second session."

was replaced by:

"*Requests* the President of the sixty-first session of the General Assembly to bring, as soon as possible, the content of these recommendations to the Fifth Committee of the General Assembly for its consideration."

49. At its 47th meeting, on 16 November, the Committee adopted draft resolution A/C.3/61/L.23, as orally revised, by a recorded vote of 112 to 6, with 54 abstentions (see para. 123, draft resolution VI). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tunisia, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Japan, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

50. Before the vote, statements were made by the representatives of the United States of America, Finland (on behalf of the States Members of the United Nations that are members of the European Union and associated countries), Canada (also on behalf of Australia) and Japan; after the vote, statements were made by the

representatives of Singapore, the United States of America, Costa Rica, the United Republic of Tanzania, South Africa and Cuba (see A/C.3/61/SR.47).

G. Draft resolution A/C.3/61/L.24

51. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of Algeria, Angola, Belarus, Benin, Burkina Faso, Burundi, Cape Verde, China, the Congo, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Iran (Islamic Republic of), Jamaica, Kenya, the Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Myanmar, Nigeria, Pakistan, the Russian Federation, Rwanda, Sierra Leone, the Sudan, Swaziland, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam and Zimbabwe, introduced a draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/61/L.24). Subsequently, Bolivia, Botswana, Cameroon, the Central African Republic, the Gambia, Honduras, Lesotho, Namibia, South Africa, Suriname, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of) and Zambia joined in sponsoring the draft resolution.

52. At its 47th meeting, on 16 November, the Committee was advised that the draft resolution had no programme budget implications.

53. Also at the same meeting, the representative of Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries, made a statement (see A/C.3/61/SR.47).

54. At the same meeting, the Committee adopted draft resolution A/C.3/61/L.24 by a recorded vote of 117 to 56, with 3 abstentions (see para. 123, draft resolution VII). The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Mexico, Peru.

H. Draft resolution A/C.3/61/L.25

55. At the 43rd meeting, on 9 November, the representative of Finland, on behalf of Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cape Verde, Chile, the Congo, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Moldova, Monaco, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America, introduced a draft resolution entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief" (A/C.3/61/L.25). Subsequently, Azerbaijan, Botswana, Brazil, Burundi, Canada, the Central African Republic, Colombia, Costa Rica, Côte d'Ivoire, El Salvador, Ethiopia, Fiji, Guinea-Bissau, Haiti, Honduras, Lesotho, Liberia, Mauritius, Micronesia (Federated States of), Montenegro, Mozambique, Palau, Sao Tome and Principe, Sierra Leone, Timor-Leste, Togo, Uganda and Uruguay joined in sponsoring the draft resolution.

56. At the 47th meeting, on 16 November, the Secretary of the Committee read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.47).

57. At the same meeting, the representative of Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries, made a statement in which it was announced that Mexico had withdrawn as a sponsor of the draft resolution (see A/C.3/61/SR.47).

58. Also at the same meeting, the Committee adopted draft resolution A/C.3/61/L.25 without a vote (see para. 123, draft resolution VIII).

59. After the vote, the representative of the Syrian Arab Republic made a statement (see A/C.3/61/SR.47).

I. Draft resolution A/C.3/61/L.26

60. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of Cuba, Ecuador, El Salvador, Jamaica, Nigeria and the Sudan, introduced a draft resolution entitled "Respect for the right to universal freedom of travel and the vital importance of family reunification" (A/C.3/61/L.26). Subsequently, Bolivia, the Congo, the Democratic Republic of the Congo, Ethiopia, Honduras and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

61. At its 47th meeting, on 17 November, the Committee was advised that the draft resolution had no programme budget implications.

62. At the same meeting, the Committee adopted draft resolution A/C.3/61/L.26 by a recorded vote of 116 to 3, with 58 abstentions (see para. 123, draft resolution IX). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Palau, United States of America.

Abstaining:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

63. Before the vote, the representative of the United States of America made a statement; after the vote, the representative of Colombia made a statement (see A/C.3/61/SR.47).

J. Draft resolution A/C.3/61/L.27

64. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cape Verde, Chile, China, Colombia, the Comoros, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, the Democratic Republic of the Congo, Djibouti, Dominica, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, the Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, the Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Moldova, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, the Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, the Philippines, Portugal, Romania, the Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Slovenia, South Africa, Spain, the Sudan, Suriname, Swaziland, Switzerland, the Syrian Arab Republic, Thailand, Togo, Turkey, Turkmenistan, Uganda, the United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "The right to food" (A/C.3/61/L.27). Subsequently, Albania, Bhutan, Bolivia, Bulgaria, Burkina Faso, Cambodia, Cameroon, the Central African Republic, Cyprus, Guinea-Bissau, Hungary, India, Lithuania, Oman, Qatar, Sierra Leone, Sri Lanka, Timor-Leste and Ukraine joined in sponsoring the draft resolution.

65. At the 47th meeting, on 16 November, the Secretary of the Committee read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.47).

66. At the same meeting, the Committee adopted draft resolution A/C.3/61/L.27 by a recorded vote of 175 to 1 (see para. 123, draft resolution X). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy,

Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

None.

67. After the vote, the representative of the United States of America made a statement (see A/C.3/61/SR.47).

K. Draft resolution A/C.3/61/L.28

68. At the 45th meeting, on 13 November, the representative of Azerbaijan, on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference, introduced a draft resolution entitled "Combating defamation of religions" (A/C.3/61/L.28). Subsequently, Belarus, Cameroon and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

69. At its 48th meeting, on 17 November, the Committee was advised that the draft resolution had no programme budget implications.

70. At the same meeting, the representative of Azerbaijan orally revised the draft resolution as follows:

(a) The sixteenth and seventeenth preambular paragraphs, which read:

"*Deeply alarmed* at the rising trends to condone discrimination based on religion and faith through intellectual and ideological validation,

"*Deeply alarmed also* at the rise of some national policies and laws that stigmatize groups of people belonging to certain religions and faiths under a variety of pretexts relating to security and illegal immigration",

were replaced by:

"*Deeply alarmed* at the rising trends towards discrimination based on religion and faith, including in some national policies and laws that stigmatize

groups of people belonging to certain religions and faiths under a variety of pretexts relating to security and illegal immigration, and noting that the increased intellectual and media discourse is among the factors exacerbating such discrimination";

(b) Operative paragraph 9, which read:

"9. *Emphasizes* that the right to freedom of expression should be exercised with the responsibilities and limitations as prescribed by law and necessary for national security and public safety as well as for the prevention of disorder, protection of morals and reputation or rights of others and respect for religions and beliefs",

was replaced by:

"9. *Emphasizes* that everyone has the right to freedom of expression, which should be exercised with responsibility and may therefore be subject to limitations as provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals and respect for religions and beliefs";

(c) In operative paragraph 10, the words "incitement or discrimination" were replaced by the words "incitement to discrimination";

(d) In operative paragraph 16, the words "as part of its mandate" were deleted.

71. Also at the same meeting, the Committee adopted draft resolution A/C.3/61/L.28, as orally revised, by a recorded vote of 101 to 53, with 20 abstentions (see para. 123, draft resolution XI). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Gambia, Ghana, Guatemala, Guinea-Bissau, Guyana, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia

(Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Bolivia, Cape Verde, Colombia, Ethiopia, Fiji, Haiti, India, Kenya, Madagascar, Malawi, Mozambique, Nepal, Nigeria, Papua New Guinea, Republic of Korea, Rwanda, Solomon Islands, Swaziland, United Republic of Tanzania.

72. Before the vote, the representatives of the United States of America, Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries, India and Canada made statements. After the vote, the representatives of Singapore and Costa Rica made statements (see A/C.3/61/SR.48).

L. Draft resolution A/C.3/61/L.29 and Rev.1

73. At the 45th meeting, on 13 November, the representative of Mexico, on behalf of Bangladesh, Benin, Chile, the Democratic Republic of the Congo, Ecuador, El Salvador, Ethiopia, the Gambia, Guatemala, Honduras, Kenya, Mali, Mexico, Morocco, the Niger, Nigeria, Paraguay, Peru, the Philippines, Saint Vincent and the Grenadines and Senegal, introduced a draft resolution entitled "Protection of migrants" (A/C.3/61/L.29). Subsequently, Argentina, Belize, Burkina Faso, Cape Verde, the Congo, Ghana and Kyrgyzstan joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* all its previous resolutions on the protection of migrants, the most recent of which is resolution 60/169 of 16 December 2005 and recalling also Commission on Human Rights resolution 2005/47 of 19 April 2005,

"*Reaffirming* the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

"*Reaffirming also* the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Their Families,

"*Welcoming* the establishment of the Human Rights Council as the body responsible for promoting universal respect for the protection of all human

rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

"*Welcoming also* the convening of the High-level Dialogue on International Migration and Development held in September 2006, at which it was recognized that international migration, development and human rights are intrinsically interconnected,

"*Emphasizing* the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

"*Bearing in mind* that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as the full respect for the human rights and fundamental freedoms of migrants,

"*Concerned* about the large and growing number of migrants, especially women and children, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and underlining the obligation of States to respect the human rights of those migrants,

"1. *Requests* States effectively to promote and protect the human rights and fundamental freedoms of all migrants, regardless of their immigration status, especially those of women and children;

"2. *Welcomes* the interim report of the Special Rapporteur of the Human Rights Council on the human rights of migrants and takes note of his recommendations;

"3. *Calls upon* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as a matter of priority, and requests the Secretary-General to enhance efforts to raise awareness and promote the Convention;

"4. *Takes note with appreciation* of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its third and fourth sessions;

"5. *Requests* all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues, the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, with a view to addressing, in a comprehensive manner, its causes and consequences, granting priority to the protection of the human rights of migrants;

"6. *Expresses concern* about the legislation and measures adopted by some States that restrict the human rights and fundamental freedoms of migrants and reaffirms that States have the duty to comply with their

obligations under international law, including international human rights law, when enacting and implementing migratory and border security measures, in order to ensure full respect for the human rights of migrants;

"7. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, inter alia, arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

"8. *Calls upon* States to address international migration in the framework of international cooperation and dialogue, under the principle of mutual responsibility and through comprehensive and balanced approaches, and to avoid unilateral and partial approaches, which generate negative perceptions towards international migration and produce negative effects for countries and migrants alike, including by aggravating the vulnerability of migrants;

"9. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, and urges States to apply the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

"10. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

"11. *Requests* Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and the Special Rapporteur of the Human Rights Council on the human rights of migrants, to ensure that the perspective of the human rights of migrants is included among the priority issues in the ongoing discussions on international migration and development within the United Nations system, including, in particular, in the follow-up to the High-level Dialogue on International Migration and Development held pursuant to General Assembly resolution 58/208 of 23 December 2003;

"12. *Requests* the Secretary-General to report on the implementation of the present resolution at its sixty-second session and decides to examine the question further under the item entitled 'Human rights questions'."

74. At its 50th meeting, on 21 November, the Committee had before it a revised draft resolution (A/C.3/61/L.29/Rev.1) submitted by the sponsors of draft resolution A/C.3/61/L.29 and Algeria, Armenia, Colombia, Guyana and Indonesia.

Subsequently, Afghanistan, Cambodia, Cameroon, Eritrea, Rwanda, Sri Lanka, the Sudan and Togo also joined in sponsoring the draft resolution.

75. At the same meeting, the Secretary of the Committee read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.50).

76. Also at the same meeting, the Committee adopted draft resolution A/C.3/61/L.29/Rev.1 without a vote (see para. 123, draft resolution XII).

77. After the adoption of the draft resolution, the representative of the United States of America made a statement.

M. Draft resolution A/C.3/61/L.30 and Rev.1

78. At the 43rd meeting, on 9 November, the representative of Belarus introduced a draft resolution entitled "Inadmissibility of human rights violations through the practice of secret detention and unlawful transfers while countering terrorism" (A/C.3/61/L.30), which read:

"*The General Assembly*,

"*Guided* by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

"*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil their international commitments under the various international instruments in this field,

"*Recalling* the 2005 World Summit Outcome and its specific provision that States must ensure that any measure taken to combat terrorism comply with their obligation under international law, in particular international human rights, refugee and humanitarian law,

"*Bearing in mind* resolution 1507 (2006) and recommendation 1754 (2006) of the Parliamentary Assembly of the Council of Europe, as well as the report of the Working Group on Arbitrary Detention,

"*Recognizing* that international cooperation to fight terrorism must be conducted in strict conformity with international law, including the Charter of the United Nations and relevant international conventions and protocols,

"1. *Expresses its grave concern* at:

"(a) The numerous human rights abuses committed through the practice of secret detention and unlawful inter-State transfers of detainees suspected of involvement in terrorist activities;

"(b) The involvement of numerous countries in the practice of secret detention and unlawful inter-State transfers;

"(c) The deprivation of hundreds of alleged suspects of their basic human rights, including the right to a fair trial and failure to provide suspects with even basic forms of judicial protection, by illegally detaining or transferring them;

"(d) Holding alleged suspects captive for an indefinite period of time in secret detention and failing to ensure their basic legal guarantees;

"(e) Unlawful transportation of detainees on civilian aircraft and the use of civilian airports or military airbases as platforms for illegal transfers of detainees;

"(f) Cases of ill-treatment, torture and other cruel, inhuman or degrading treatment of people secretly detained under suspicion of being involved in terrorist activities;

"(g) Acceptance of information received from the alleged suspects through interrogation in secret detention;

"(h) Widespread violations of various national legal frameworks that outlaw the above-mentioned actions;

"2. *Urges* Member States:

"(a) To fulfil while countering terrorism the commitments undertaken under the International Covenants on Human Rights and other international human rights instruments, including provisions relating to the right to liberty and security of person, freedom of movement and residence, and freedom from cruel, inhuman or degrading treatment or punishment and arbitrary arrest;

"(b) To eliminate the practice of secret detention centres and unlawful inter-State transfers of alleged suspects and ensure that anti-terrorism measures are undertaken in line with the principal international human rights instruments and on the basis of the rule of law;

"(c) To ensure that no one is detained arbitrarily or secretly on the national territories of Member States or on the territories within their effective control;

"(d) To put an end to the cases of ill-treatment, torture and other cruel, inhuman or degrading treatment of alleged suspects;

"(e) To streamline national legal frameworks in order to strengthen accountability mechanisms against human rights abuses while undertaking anti-terrorism measures and to improve legal provisions regulating activities of foreign services on the national territory of Member States;

"(f) To encourage an impartial, effective and thorough investigation into any serious allegation of using national territory as a platform for secret detention or unlawful transfers;

"(g) To ensure that any person responsible for human rights violations in connection with secret detention or unlawful transfers is brought to justice;

"3. *Urges* the appropriate human rights mechanisms to put emphasis on cases of secret detention and unlawful transfers in their reports and to make recommendations on ways to prevent the practice of secret detention and unlawful transfers;

"4. *Requests* the Secretary-General to bring the present resolution to the attention of the relevant human rights bodies and mechanisms of the United Nations system."

79. At its 51st meeting, on 22 November, the Committee had before it a revised draft resolution (A/C.3/61/L.30/Rev.1) submitted by the sponsor of draft resolution A/C.3/61/L.30, which read:

"*The General Assembly*,

"*Guided* by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

"*Reaffirming* that all Member States have the obligation to promote and protect human rights and fundamental freedoms and to fulfil their international commitments under the various international instruments in this field,

"*Recalling* the 2005 World Summit Outcome and its specific provision that States must ensure that any measure taken to combat terrorism complies with their obligation under international law, in particular international human rights, refugee and humanitarian law,

"*Taking note* of resolution 1507 (2006) and recommendation 1754 (2006) of the Parliamentary Assembly of the Council of Europe, as well as the report of the Working Group on Arbitrary Detention and other relevant documents,

"*Recognizing* that international cooperation to fight terrorism must be conducted in strict conformity with international law, including the Charter of the United Nations and relevant international conventions and protocols,

"*Reaffirming* the obligation of all States to fully respect non-refoulement obligations under international refugee law and international human rights law, and the need to cooperate fully in the fight against terrorism by denying safe haven to terrorists and bringing them to justice by means of extradition or prosecution,

"1. *Expresses its grave concern* at:

"(a) The numerous human rights abuses committed through the practice of secret detention;

"(b) The involvement of countries in the practice of secret detention and transfers of persons contrary to international law, in particular human rights, humanitarian and refugee law;

"(c) The deprivation of detainees of their basic human rights, including the right to a fair trial by independent and impartial courts established by law in accordance with international human rights instruments, and failure to provide detainees with even basic forms of judicial protection by illegally detaining or transferring them;

"(d) Holding detainees captive for an indefinite period of time in secret detention and failing to ensure their basic legal guarantees;

"(e) Transportation of detainees, including on civilian aircraft, and the use of civilian airports or military airbases as platforms for transfers of detainees contrary to international law;

"(f) Cases of ill-treatment, torture and other cruel, inhuman or degrading treatment of persons secretly detained;

"(g) Using torture as a means of obtaining information, bearing in mind that detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment and can in itself constitute a form of such treatment;

"2. *Urges* Member States:

"(a) To fulfil their obligations under international law, including under the International Covenants on Human Rights and other international human rights instruments, including provisions relating to the right to liberty and security of person, the right to challenge one's detention, freedom of movement and residence, the right to recognition everywhere as a person before the law and freedom from torture or other cruel, inhuman or degrading treatment or punishment and arbitrary arrest;

"(b) To eliminate the practice of secret detention, and unlawful inter-State transfers of detainees, and ensure that anti-terrorism measures are in full conformity with international law, in particular international human rights, refugee and humanitarian law undertaken in line with the principal international human rights instruments and on the basis of the rule of law;

"(c) To ensure that no one is detained arbitrarily or secretly on the national territories of Member States or on the territories within their effective control;

"(d) To ensure that human rights defenders are not subjected to secret detention or transfers contrary to international law;

"(e) To put an end to cases of ill-treatment, torture and other cruel, inhuman or degrading treatment of detainees;

"(f) To ensure that national legal procedures provide for accountability mechanisms against human rights abuses while undertaking anti-terrorism measures;

"(g) To ensure that competent authorities examine the allegation of secret detention promptly and impartially and, where necessary, undertake without delay a thorough and impartial investigation;

"(h) To fully cooperate with relevant special procedures in the framework of the Human Rights Council and with the International Committee of the Red Cross on all issues regarding the secret detention of persons, particularly by granting access to detainees;

"(i) To ensure that any person responsible for human rights violations in connection with secret detention or unlawful transfers is brought to justice in accordance with international human rights instruments;

"3. *Invites* the appropriate human rights mechanisms to address the issue of secret detention and unlawful transfers in their reports and to make recommendations on ways to prevent the practice of secret detention and unlawful transfers;

"4. *Requests* the Secretary-General to bring the present resolution to the attention of the relevant human rights bodies and mechanisms of the United Nations system."

80. At the same meeting, the Committee was advised that the draft resolution had no programme budget implications.

81. Also at the same meeting, the representative of Belarus made a statement and withdrew draft resolution A/C.3/61/L.30/Rev.1 (see A/C.3/61/SR.51).

N. Draft resolution A/C.3/61/L.31 and Rev.1

82. At the 43rd meeting, on 9 November, the representative of Belarus, on behalf of Belarus and Uzbekistan, introduced a draft resolution entitled "Promotion of equitable and mutually respectful dialogue on human rights" (A/C.3/61/L.31), which read:

> "*The General Assembly*,
>
> "*Guided* by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments,
>
> "*Acknowledging* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind,
>
> "*Stressing* the importance of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and achieving international cooperation in promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,
>
> "*Emphasizing* the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status,
>
> "*Bearing in mind* General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council", in particular the decision of the Assembly that the Human Rights Council should undertake a universal periodic review in a manner that ensures universality of coverage and equal treatment with respect to all States, and the decision of the Human Rights Council on the establishment of an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism, based on an interactive dialogue as well as on objective and reliable information,
>
> "*Recognizing* that politically motivated and biased country-specific resolutions on the situation of human rights severely undermine the principles of objectivity and non-selectivity in the consideration of human rights issues and are counterproductive to the cause of promoting of human rights,
>
> "1. *Urges* Member States to further strengthen international cooperation in promoting and encouraging respect for human rights in order to

enhance dialogue and broaden understanding among civilizations, cultures and religions;

"2. *Calls upon* Member States to base their approaches to the development of international dialogue on human rights on the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant international human rights instruments and to refrain from approaches that are inconsistent with that international framework;

"3. *Reaffirms* that the promotion and protection of human rights and fundamental freedoms, as a legitimate concern of the world community, and the development of international dialogue on human rights should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political purposes;

"4. *Stresses* the need to ensure that country-specific resolutions on the situation of human rights should be used only in cases of massive violations of human rights related to genocide, ethnic cleansing and crimes against humanity;

"5. *Affirms* that respect for political, economic and cultural diversity for all contributes to the development of stable and friendly relations among countries and equitable and mutually respectful international dialogue on human rights;

"6. *Stresses* the continuing need for unbiased and objective information on the situation of human rights in all countries and the need to present this information in impartial manner, including through the reports of the special rapporteurs and representatives, independent experts and working groups;

"7. *Decides* to consider this matter at its sixty-second session under the item entitled 'Human rights questions'."

83. At the same meeting, the representative of Belarus orally revised the draft resolution as follows:

(a) In the second preambular paragraph, the word "*Acknowledging*" was replaced by the word "*Reaffirming*";

(b) Operative paragraph 4 was replaced by:

"4. *Stresses* the need to avoid politically motivated and biased country-specific resolutions on the situation of human rights, confrontational approaches, exploitation of human rights for political purposes, selective targeting of individual countries for extraneous considerations and double standards in the work of the United Nations on human rights issues".

84. At its 47th meeting, on 16 November, the Committee had before it a revised draft resolution (A/C.3/61/L.31/Rev.1) submitted by the sponsors of draft resolution A/C.3/61/L.31, and China, Cuba, Indonesia, Iran (Islamic Republic of), the Russian Federation, the Sudan and Venezuela (Bolivarian Republic of). Subsequently, Angola, Benin, the Democratic People's Republic of Korea, Guinea-Bissau, Viet Nam and Zimbabwe joined in sponsoring the draft resolution.

85. At the same meeting, the Secretary of the Committee read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.47).

86. Also at the same meeting, the representative of Belarus orally revised draft resolution A/C.3/61/L.31/Rev.1 by deleting the words "through international cooperation" at the end of the third preambular paragraph.

87. Also at its 47th meeting, the Committee adopted draft resolution A/C.3/61/L.31/Rev.1, as orally revised, by a recorded vote of 77 to 63, with 26 abstentions (see para. 123, draft resolution XIII). The voting was as follows:

In favour:

Algeria, Angola, Azerbaijan, Bahrain, Belarus, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Cambodia, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Eritrea, Gabon, Gambia, Grenada, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining:

Antigua and Barbuda, Armenia, Bahamas, Bangladesh, Barbados, Belize, Brazil, Costa Rica, Dominica, El Salvador, Ethiopia, Fiji, Ghana, Guyana, Haiti, Iraq, Jordan, Madagascar, Malawi, Mauritius, Nigeria, Papua New Guinea, Paraguay, Rwanda, Uganda, United Republic of Tanzania.

88. Before the vote, statements were made by the representatives of the United States of America, Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries, Mexico and Canada. After the vote, statements were made by the representatives of Brazil and Japan (see A/C.3/61/SR.47).

O. Draft resolution A/C.3/61/L.32 and Rev.1

89. At the 43rd meeting, on 9 November, the representative of Belgium, on behalf of Albania, Argentina, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina,

Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Madagascar, Mali, Malta, Monaco, Morocco, the Netherlands, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, Romania, Senegal, Serbia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania, introduced a draft resolution entitled "Regional arrangements for the promotion and protection of human rights" (A/C.3/61/L.32). Subsequently, Angola, Armenia, Bolivia, Brazil, Bulgaria, Burundi, Cameroon, Canada, the Central African Republic, the Congo, Croatia, the Democratic Republic of the Congo, the Dominican Republic, El Salvador, Haiti, Honduras, Israel, Liberia, Mali, Moldova, Morocco, Paraguay, the Republic of Korea, Senegal, Serbia, Slovakia, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, and Uganda joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolution 32/127 of 16 December 1977 and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

"*Recalling also* Commission on Human Rights resolution 1993/51 of 9 March 1993 and its subsequent resolutions in this regard,

"*Bearing in mind* the relevant resolutions of the Commission on Human Rights concerning advisory services and technical cooperation in the field of human rights, including its most recent on that subject, resolution 2004/81 of 21 April 2004,

"*Bearing in mind also* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

"*Recalling* that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

"*Reaffirming* that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

"*Welcoming* the steps taken by the Office of the High Commissioner to establish regional and subregional offices and develop relevant strategies as a key part and tool of its country engagement strategy, including the intention of the Office to establish four new regional offices, as well as the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions, in particular the deployment in Bishkek of a regional representative for Central Asia,

"1. *Takes note with satisfaction* of the report of the Secretary-General;

"2. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

"3. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding in the regions of issues concerning the promotion and protection of human rights, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards and identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

"4. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels, and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

"5. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;

"6. *Welcomes* the growing exchanges between the United Nations, the United Nations human rights treaty bodies and special procedures, on the one hand, and regional organizations and institutions, such as the Council of Europe, the Organization for Security and Cooperation in Europe, the League of Arab States, the Inter-American Commission on Human Rights, the African Commission on Human and Peoples' Rights, the International Organization of la Francophonie, the Community of Portuguese-speaking Countries and other regional institutions, on the other;

"7. *Further welcomes* the progress achieved in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and, in this regard, notes with interest:

"(a) The increasing cooperation between the Office of the High Commissioner and African organizations and suborganizations, in particular the African Union, the Economic Community of Central African States, the Southern African Development Community and the Economic Community of West African States;

"(b) The support provided by the Office of the High Commissioner to the African Union for the strengthening of the promotion and protection of human rights in Africa, and welcomes in this regard the establishment of an African Court on Human and Peoples' Rights;

"(c) The increased, valuable sharing of concrete national experiences at the thirteenth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Beijing in 2005, regarding the implementation of the Regional Framework for the Promotion and Protection of Human Rights in the Asia-Pacific Region, which contributes to the enhancement of the promotion and protection of human rights in the region, and welcomes in this regard the establishment of an Office of the High Commissioner for the Pacific region in Suva and the steps undertaken by the Office of the High Commissioner for Human Rights to set up a human rights training and documentation centre for South-West Asia and the Arab region, pursuant to General Assembly resolution 60/153 of 16 December 2005;

"(d) The ongoing consultations aimed at the possible establishment of regional human rights arrangements held in the context of the Framework among Governments with the support and advice of national human rights institutions and civil society organizations of the Asia-Pacific region;

"(e) Activities undertaken within the framework of the regional project of the Office of the High Commissioner for the promotion and protection of human rights in the Latin American and Caribbean region and the strengthening of the cooperation between the Office of the High Commissioner, the Organization of American States and the Inter-American Commission on Human Rights;

"(f) Activities undertaken within the framework of cooperation between the Office of the High Commissioner and the League of Arab States;

"(g) The continued cooperation towards the realization of universal standards between the Office of the High Commissioner and regional organizations in Europe and Central Asia, namely the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union, in particular for activities at the country level;

"8. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider, with the support and advice of national human rights institutions and civil society organizations, concluding agreements with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

"9. *Requests* the Secretary-General to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

"10. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation

and to make, where necessary, relevant recommendations, and in this regard welcomes the decision of the Office to strengthen national protection systems in accordance with action 2 of the reform programme of the Secretary-General;

"11. *Invites* the Secretary-General to provide, in the report that he will submit to the Human Rights Council at its fourth session, information on progress made since the adoption of the Vienna Declaration and Programme of Action on reinforcing the exchange of information and extending collaboration between the organs of the United Nations dealing with human rights and regional organizations in the field of the promotion and protection of human rights;

"12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a report on the state of regional arrangements for the promotion and protection of human rights, formulating concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights, and to include therein the results of action taken in pursuance of the present resolution;

"13. *Decides* to consider the question further at its sixty-third session."

90. At the 50th meeting, on 21 November, the representative of Belgium introduced a revised draft resolution (A/C.3/61/L.32/Rev.1) submitted by the sponsors of draft resolution A/C.3/61/L.32 and Chile, the Gambia, Liechtenstein, Mongolia, the Philippines, Rwanda and Thailand. Subsequently, Andorra, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, Kenya, Lesotho, Mauritania, Sierra Leone, South Africa and Tuvalu joined in sponsoring the draft resolution.

91. At the same meeting, the Secretary read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.50).

92. Also at its 50th meeting, the Committee adopted draft resolution A/C.3/61/L.32/Rev.1 without a vote (see para. 123, draft resolution XIV).

P. Draft resolution A/C.3/61/L.33

93. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/61/L.33). Subsequently, China joined in sponsoring the draft resolution.

94. At its 51st meeting, on 22 November, the Committee was advised that the draft resolution had no programme budget implications.

95. At the same meeting, the representative of Cuba orally revised the draft resolution as follows:

(a) A new fifth preambular paragraph was inserted, which read:

"*Recognizing also* that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and

aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings".

(b) In operative paragraph 10, after the words "human rights machinery", the following was deleted:

"including the Human Rights Council, by ensuring respect for the principles of universality, objectivity and non-selectivity in the consideration of human rights issues and eliminating double standards and politicization and by also ensuring the promotion and protection of human rights based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations, as recognized by the General Assembly in the ninth and tenth preambular paragraphs of its resolution 60/251 of 15 March 2006, and to submit a report on the basis of these findings to the General Assembly at its sixty-second session".

96. Also at its 51st meeting, the Committee adopted draft resolution A/C.3/61/L.33, as orally revised, without a vote (see para. 123, draft resolution XV).

Q. Draft resolution A/C.3/61/L.34

97. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced a draft resolution entitled "The right to development" (A/C.3/61/L.34). Subsequently, China joined in sponsoring the draft resolution.

98. At the 51st meeting, on 22 November, the Secretary read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.51).

99. At the 53rd meeting, on 28 November, the representative of Cuba orally revised the draft resolution as follows:

(a) The eighth preambular paragraph, which read:

"*Recalling* the framework modalities agreed to at the General Council meeting of the World Trade Organization in Geneva on 1 August 2004 in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services",

was replaced by:

"*Expressing concern* over the suspension of the trade negotiations of the World Trade Organization, and stressing the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services;"

(b) Operative paragraph 2, which read:

"2. *Emphasizes* the importance of the decisions contained in Human Rights Council resolution 2006 I/4 to renew the mandate of the Working Group for a period of one year and to request the Working Group to meet for a period of five working days in the first three months of 2007",

was replaced by:

"2. *Recognizes* the relevance of the decisions contained in Human Rights Council resolution 1/4 to renew the mandate of the Working Group and to request the Working Group to meet in the first three months of 2007";

(c) In operative paragraph 3, the word "*Endorses*" was replaced by the words "*also recognizes* the relevance of, and the words "for a period of five working days" were deleted;

(d) In operative paragraph 4 (a), the words "act to ensure that its agenda" were deleted, and the words "promotes and advances" were replaced by the words "promote and advance";

(e) In operative paragraph 7 (d), the words "further consideration of" were inserted after the word "through";

(f) In operative paragraph 8, the word "*Reaffirms*" was replaced by the words "*Recognizes* the relevance of", and the words "particularly the submission of a concept document establishing options for the implementation of the right to development and their feasibility, inter alia, an international legal standard of a binding nature" were deleted;

(g) At the beginning of operative paragraph 27, the words "*Welcomes* the Political Declaration on HIV/AIDS adopted at the High-level Meeting of the General Assembly on 2 June 2006" were inserted, and the word "*Also*" was deleted;

(h) In operative paragraph 31, the word "next" was inserted before the words "report to the Human Rights Council", and the words "at its fourth session" were deleted;

(i) In operative paragraph 34, the words "at its fourth session" were deleted.

100. Also at its 53rd meeting, the Committee adopted draft resolution A/C.3/61/L.34, as orally revised, by a recorded vote of 126 to 51, with 1 abstention (see para. 123, draft resolution XVI). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, the Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania,

Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Bosnia and Herzegovina.

101. Before the vote, statements were made by the representatives of the United States of America and Finland, on behalf of States Members of the United Nations that are members of the European Union and associated countries; after the vote, statements were made by the representatives of Japan, Canada and Costa Rica (see A/C.3/61/SR.53).

R. Draft resolution A/C.3/61/L.35

102. At the 45th meeting, on 13 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/61/L.35).

103. At the 51st meeting, on 22 November, the Committee was informed that the draft resolution had no programme budget implications.

104. At the same meeting, the Committee adopted draft resolution A/C.3/61/L.35 by a recorded vote of 122 to 53 (see para. 123, draft resolution XVII). The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone,

Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

S. Draft resolution A/C.3/61/L.36/Rev.1

105. At the 46th meeting, on 16 November, the representative of Mexico, on behalf of Albania, Argentina, Armenia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Israel, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, the Netherlands, Norway, Panama, Peru, Poland, Portugal, Romania, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, introduced a draft resolution entitled "Protection of human rights and fundamental freedoms while countering terrorism" (A/C.3/61/L.36/Rev.1). Subsequently, Angola, Belarus, Benin, Bolivia, Bosnia and Herzegovina, Cape Verde, Costa Rica, Côte d'Ivoire, Georgia, Iceland, Indonesia, Italy, Lebanon, Moldova, Morocco, Nigeria, Senegal, Ukraine, the United Republic of Tanzania and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

106. At the 47th meeting, on 16 November, the Secretary read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.47).

107. Also at the 47th meeting, the Committee adopted draft resolution A/C.3/61/L.36/Rev.1 without a vote (see para. 123, draft resolution XVIII).

T. Draft resolution A/C.3/61/L.44

108. At the 42nd meeting, on 8 November, the representative of the Russian Federation, on behalf of Algeria, Armenia, Azerbaijan, Belarus, Colombia, Cuba, Ecuador, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Sri Lanka, the Sudan, Tajikistan, Turkey, Turkmenistan, Ukraine and Uzbekistan, introduced a

draft resolution entitled "Hostage-taking" (A/C.3/61/L.44). Subsequently, Honduras joined in sponsoring the draft resolution.

109. At its 44th meeting, on 10 November, the Committee was advised that the draft resolution had no programme budget implications.

110. At the same meeting, the Committee adopted draft resolution A/C.3/61/L.44 without a vote (see para. 123, draft resolution XIX).

111. After the adoption of the draft resolution, statements were made by the representatives of the United States of America and Finland, on behalf of the States Members of the United Nations that are members of the European Union and associated countries (see A/C.3/61/SR.44).

U. Draft resolution A/C.3/61/L.45 and Rev.1 and amendments contained in document A/C.3/61/L.59

112. At the 43rd meeting, on 9 November, the representative of Sweden, on behalf of Albania, Andorra, Argentina, Armenia, Austria, Belgium, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, the Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Poland, Portugal, the Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, the United Kingdom of Great Britain and Northern Ireland and Uruguay, introduced a draft resolution entitled "Extrajudicial, summary or arbitrary executions" (A/C.3/61/L.45). Subsequently, Bosnia and Herzegovina, the Dominican Republic, Nicaragua and Ukraine joined in sponsoring the draft resolution, which read:

> "*The General Assembly*,
>
> "*Recalling* the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights and other relevant human rights conventions,
>
> "*Having regard* to the legal framework of the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions,
>
> "*Welcoming* the universal ratification of the Geneva Conventions of 1949, which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,
>
> "*Mindful* of all its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights on the subject,
>
> "*Dismayed* that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,
>
> "*Acknowledging* that international human rights law and international humanitarian law are complementary and not mutually exclusive, and noting

with deep concern the growing number of civilians and persons *hors de combat* killed in situations of armed conflict and internal strife,

"*Acknowledging also* that extrajudicial, summary or arbitrary executions can amount to genocide, crimes against humanity or war crimes, as defined under the Rome Statute of the International Criminal Court,

"*Recalling* the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as agreed in the 2005 World Summit Outcome,

"*Deploring* the frequent occurrence of death in custody in all regions of the world, and affirming the obligation of States to investigate and respond to such deaths and to exercise due diligence in preventing abuse of persons deprived of their liberty,

"*Convinced* of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent a flagrant violation of the right to life,

"1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

"2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms;

"3. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families, and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions, as stated in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions;

"4. *Calls upon* all States in which the death penalty has not been abolished to comply with their obligations under relevant provisions of international human rights instruments, including in particular articles 6, 7 and 14 of the International Covenant on Civil and Political Rights and articles 37 and 40 of the Convention on the Rights of the Child, bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 and 1989/64;

"5. *Urges* all States:

"(a) To take all necessary and possible measures, in conformity with international human rights law and international humanitarian law, to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts, and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the

State, act with restraint and in conformity with international humanitarian law and international human rights law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials act in accordance with the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

"(b) To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of members of national, ethnic, religious or linguistic minorities, of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason, including sexual orientation, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level, and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

"6. *Also urges* all States to ensure that persons deprived of their liberty are treated humanely and with full respect for their human rights and to ensure that their treatment, including judicial guarantees, and conditions conform to the Standard Minimum Rules for the Treatment of Prisoners and, where applicable, to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977 in relation to all persons detained in armed conflict, as well as to other pertinent international instruments;

"7. *Acknowledges* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions and the fact that one hundred and two States have already ratified or acceded to and a further thirty-seven have signed the Rome Statute of the Court, and calls upon all those States that have not ratified or acceded to the Rome Statute to consider doing so;

"8. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in human rights and humanitarian law issues connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the United Nations High Commissioner for Human Rights to support endeavours to that end;

"9. *Welcomes* the interim report of the Special Rapporteur to the General Assembly;

"10. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and

encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

"11. *Acknowledges* the important role of the Special Rapporteur as an early warning mechanism by identifying cases where extrajudicial, summary and arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges him to continue to draw the attention of the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, to situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

"12. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

"13. *Strongly urges* all States to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by issuing standing invitations, by honouring such invitations in practice through favourable and rapid responses to requests for visits, for which standard terms of reference apply, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

"14. *Expresses its appreciation* to those States that have received the Special Rapporteur, and asks them to examine carefully the recommendations made by the Special Rapporteur, invites them to report to him on the actions taken on those recommendations, and requests other States to cooperate in a similar way;

"15. *Expresses its deep concern* that a number of States mentioned in the report of the Special Rapporteur, including several members of the Human Rights Council, have not responded to calls for invitations, and reminds all States that the on-site country visits are an indispensable component of the mandate of the Special Rapporteur;

"16. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

"17. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

"18. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions,

where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

"19. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-second session on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon."

113. At the 47th meeting, on 16 November, the Secretary read out a statement regarding financial provisions relating to the draft resolution (see A/C.3/61/SR.47).

114. At the same meeting, the representative of Sweden introduced a revised draft resolution (A/C.3/61/L.45/Rev.1) on behalf of the sponsors of draft resolution A/C.3/61/L.45 and Australia, Bulgaria, Honduras, Montenegro and Turkey. Subsequently, Benin, Bolivia and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

115. Also at the same meeting, the representative of Sweden orally revised draft resolution A/C.3/61/L.45/Rev.1 as follows: in operative paragraph 13, the words "on-site" were deleted, and the words "an indispensable component" were replaced by the words "one of the tools for the fulfilment".

116. At the same meeting, the Committee had before it amendments to draft resolution A/C.3/61/L.45/Rev.1 contained in document A/C.3/61/L.59, sponsored by Azerbaijan on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference, by which:

(a) Operative paragraph 4 of draft resolution A/C.3/61/L.45/Rev.1 would be replaced by:

"4. *Calls upon* States to prevent extrajudicial, summary or arbitrary executions and to comply with all their obligations under the relevant international human rights instruments, and reaffirms the importance of the safeguards guaranteeing protection of the rights of those facing the death penalty, as set out in Economic and Social Council resolution 1984/50 of 25 May 1984";

(b) Operative paragraph 5 (b) of draft resolution A/C.3/61/L.45/Rev.1 would be replaced by:

"*Reaffirms* the obligation of Governments to ensure the protection of the right to life of all persons under their jurisdiction, and calls upon Governments concerned to investigate promptly and thoroughly all cases of extrajudicial, summary or arbitrary executions, including for any discriminatory reasons, to bring those responsible to justice before a competent, independent and impartial judiciary and to ensure that such executions are neither condoned nor sanctioned by Government officials or personnel".

117. Also at the 47th meeting, the representative of Sweden requested separate votes on the two amendments contained in document A/C.3/61/L.59.

118. Also at the same meeting, the Committee voted on the amendments contained in document A/C.3/61/L.59 as follows:

(a) The proposed amendment to operative paragraph 4 was rejected by a recorded vote of 71 to 62, with 23 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Botswana, Brunei Darussalam, China, Djibouti, Dominica, Egypt, Ethiopia, Grenada, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, Nicaragua, Niger, Oman, Pakistan, Papua New Guinea, Qatar, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of).

Abstaining:

Angola, Belarus, Bhutan, Burundi, Colombia, Congo, Côte d'Ivoire, Fiji, Guinea-Bissau, Kenya, Liberia, Mauritius, Mongolia, Namibia, Nepal, Russian Federation, Sierra Leone, Sri Lanka, Swaziland, Tuvalu, Uganda, United Republic of Tanzania, United States of America.

(b) The proposed amendment to operative paragraph 5 (b) was rejected by a recorded vote of 69 to 57, with 25 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, China, Colombia, Comoros, Djibouti, Egypt, Ethiopia, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria,

Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

Abstaining:

Antigua and Barbuda, Bahamas, Barbados, Belarus, Belize, Bhutan, Bosnia and Herzegovina, Burundi, Congo, Côte d'Ivoire, Dominica, Fiji, Guinea-Bissau, Jamaica, Kenya, Liberia, Mauritius, Mongolia, Namibia, Nepal, Philippines, Sierra Leone, Sri Lanka, Uganda, United Republic of Tanzania.

119. At the same meeting, before the vote on the amendment to operative paragraph 4, statements were made by the representatives of Egypt and Kuwait (see A/C.3/61/SR.47).

120. Also at the 47th meeting, separate votes were requested on operative paragraphs 4 and 5 (b) of draft resolution A/C.3/61/L.45/Rev.1.

121. At the same meeting, the Committee voted on draft resolution A/C.3/61/L.45/Rev.1 as follows:

(a) Operative paragraph 4 was retained by a recorded vote of 89 to 38 with 26 abstentions. The voting was as follows:

In favour:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of).

Against:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Dominica, Egypt, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mauritania, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago, United Arab Emirates, Viet Nam, Yemen, Zimbabwe.

Abstaining:

Burundi, Central African Republic, Congo, Guinea-Bissau, India, Japan, Jordan, Kenya, Lesotho, Liberia, Madagascar, Mali, Mongolia, Morocco,

Niger, Palau, Russian Federation, Sierra Leone, Sri Lanka, Swaziland, Thailand, Tunisia, Uganda, United Republic of Tanzania, United States of America, Zambia.

(b) Operative paragraph 5 (b) was retained by a recorded vote of 93 to 30, with 28 abstentions. The voting was as follows:

In favour:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Montenegro, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

Against:

Afghanistan, Bahrain, Botswana, Brunei Darussalam, China, Comoros, Djibouti, Egypt, Indonesia, Iran (Islamic Republic of), Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Singapore, Sudan, Syrian Arab Republic, United Arab Emirates, Viet Nam, Yemen, Zimbabwe.

Abstaining:

Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Cambodia, Congo, Dominica, Ethiopia, Grenada, Guyana, Jordan, Kenya, Lesotho, Liberia, Mongolia, Morocco, Namibia, Niger, Philippines, Russian Federation, Sri Lanka, Swaziland, Thailand, Tunisia, Uganda, United Republic of Tanzania, Zambia.

(c) Draft resolution A/C.3/61/L.45/Rev.1, as a whole, was adopted by a recorded vote of 129 to none, with 42 abstentions (see para. 123, draft resolution XX). The voting was as follows:[2]

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary,

[2] The delegation of Gabon subsequently indicated that it had intended to vote in favour.

Iceland, India, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

Against: None.

Abstaining:

Bahamas, Bahrain, Bangladesh, Brunei Darussalam, Burkina Faso, Burundi, China, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Viet Nam, Yemen, Zimbabwe.

122. After the vote on operative paragraph 4 of draft resolution A/C.3/61/L.45/Rev.1, the representative of Japan made a statement; after the vote on draft resolution A/C.3/61/L.45/Rev.1, as a whole, statements were made by the representatives of Algeria, the United States of America and Botswana (see A/C.3/61/SR.47).

III. Recommendations of the Third Committee

123. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
The human rights situation arising from the recent Israeli military operations in Lebanon

The General Assembly,

Reaffirming the Universal Declaration of Human Rights[1] and the Vienna Declaration and Programme of Action of 1993,[2] and recalling the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Rights of the Child[4] and other human rights instruments,

Guided by relevant human rights instruments and international humanitarian law, in particular the Hague Conventions of 1899[5] and 1907[5] respecting the Laws and Customs of War on Land, which prohibit attacks on and bombardment of civilian populations and objects and lay down obligations for general protection against dangers arising from military operations against civilian objects, hospitals, relief materials and means of transportation,

Recalling the commitments of the High Contracting Parties to the Geneva Conventions of 12 August 1949[6] and the Additional Protocols thereto, of 1977,[7]

Recalling also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[8]

Stressing that the right to life constitutes the most fundamental of all human rights,

Emphasizing that human rights law and international humanitarian law are complementary and mutually reinforcing,

Bearing in mind Security Council resolution 1701 (2006) of 11 August 2006 and the statement of the President of the Council of 30 July 2006,[9]

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[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[6] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[7] Ibid., vol. 1125, Nos. 17512 and 17513.

[8] A/45/625, annex.

[9] S/PRST/2006/35.

Bearing also in mind Human Rights Council resolution S-2/1 entitled "The grave situation of human rights in Lebanon caused by Israeli military operations",[19] adopted by the Council at its second special session on 11 August 2006,

1. *Condemns* all acts of violence against civilians, including the bombardment by Israeli military forces of Lebanese civilians causing extensive loss of life and injuries, including among children, immense destruction of homes, properties, agricultural lands and vital civilian infrastructure, and the displacement of up to one million Lebanese civilians and outflows of refugees fleeing heavy shelling and bombardment directed against the civilian population, thus exacerbating the magnitude of human suffering in Lebanon;

2. *Emphasizes* the importance of the safety and well-being of all children;

3. *Expresses deep concern* about the negative consequences, including the mental and psychological impact, of the Israeli military operations for the well-being of Lebanese children;

4. *Emphasizes* that attacks against civilians, wherever they may occur, are contrary to international humanitarian law and constitute flagrant violations of human rights, condemns the killing of children, women, the elderly and other civilians in Lebanon, and underlines that there should be no impunity for such acts; and calls particularly upon Israel to abide scrupulously by its obligations under human rights law, in particular the Convention on the Rights of the Child,[4] and international humanitarian law;

5. *Deplores* the death of more than one thousand and one hundred civilians, one third being children, as a result of the Israeli military operations in Lebanon;

6. *Strongly condemns* the deliberate use by Israel of cluster munitions in Lebanon, most of which had been used in the seventy-two hours directly preceding the cessation of hostilities and after the adoption of Security Council resolution 1701 (2006), which left over one million unexploded cluster bomblets, threatening the lives of children and civilians and adversely affecting recovery and rebuilding efforts;

7. *Deplores* the environmental degradation caused by Israeli air strikes against power plants in Lebanon and their adverse impact on the health and well-being of children and other civilians;

8. *Calls upon* the international community to urgently provide the Government of Lebanon with financial assistance in support of the national early recovery, reconstruction and enhancing the national economy, including the rehabilitation of victims, return of displaced persons, and restoration of the essential infrastructure; and expresses its appreciation to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the people and Government of Lebanon.

[19] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), part three, chap. I.

Draft resolution II
Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child[6] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[7]

Recalling all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions adopted by the Commission on Human Rights,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

Bearing in mind the effective search for and identification of missing persons through traditional forensic methods, and recognizing that great technological progress has been achieved in the field of DNA forensic sciences, which could significantly assist efforts to identify missing persons,

Noting that the issue of persons reported missing in connection with international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put an end to those conflicts and causes suffering to the families of missing persons, and stressing in this regard the need to address the issue from a humanitarian perspective, among others,

Recalling the observations and recommendations to address the problems of missing persons and of their families that were adopted at the International Conference of Governmental and Non-Governmental Experts on "The missing: action to resolve the problem of people unaccounted for as a result of armed conflict or internal violence and to assist their families", held in Geneva from 19 to 21 February 2003,

Recalling the Agenda for Humanitarian Action, in particular its general objective 1, to "respect and restore the dignity of persons missing as a result of

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[1] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[2] Ibid., vol. 1125, Nos. 17512 and 17513.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] A/CONF.157/24 (Part I), chap. III.

armed conflicts or other situations of armed violence and of their families", adopted at the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003,

Taking note with appreciation of the ongoing regional efforts to address the question of missing persons,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949[1] and, where applicable, in the Additional Protocols thereto of 1977;[2]

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with armed conflict and to account for persons reported missing as a result of such a situation;

3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;

4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

5. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflicts and, to the greatest possible extent, to provide their family members, through appropriate channels, with all relevant information they have on their fate;

6. *Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to existing laws, practices, norms and standards, and urges States to cooperate with each other and with other concerned actors working in this area, inter alia, by providing all relevant and appropriate information related to missing persons;

7. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children;

8. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all practical and coordination mechanisms as may be necessary, based on humanitarian considerations only;

9. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the concerned States, and welcomes, in this regard, the establishment and efforts of commissions and working groups on missing persons;

10. *Calls upon* States, without prejudice to their efforts to determine the fate of persons missing in connection with armed conflicts, to take appropriate steps with regard to the legal situation of the missing persons and that of their family

members, in fields such as social welfare, financial matters, family law and property rights;

11. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

12. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

13. *Also requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution, including relevant recommendations, to the Human Rights Council at its relevant session and to the General Assembly at its sixty-third session;

14. *Decides* to consider this question at its sixty-third session.

Draft resolution III
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights[3] and the International Covenant on Economic, Social and Cultural Rights,[3]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 60/152 of 16 December 2005,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[7]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Reaffirming the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[8] to promote fair globalization and the development of the

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[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.
[4] See resolution 55/2.
[5] Resolution S-23/2, annex, and resolution S-23/3, annex.
[6] Resolution S-24/2, annex.
[7] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.
[8] See resolution 60/1.

productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and

international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Reaffirms also* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[9] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

7. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

8. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

9. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

10. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

11. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

12. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

[9] E/CN.4/2002/54.

13. *Takes note* of the report of the Secretary-General,[10] and requests him to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on the subject to the General Assembly at its sixty-second session.

[10] A/61/281.

Draft resolution IV
Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women,[3] the Convention on the Rights of the Child,[4] the Convention on the Elimination of All Forms of Racial Discrimination[5] and other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006), as well as its resolution 59/186 of 20 December 2004 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Also deeply concerned that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

Recalling Commission on Human Rights resolution 2005/16 of 14 April 2005,[6] as well as resolution 2005/9 of 8 August 2005 of the Subcommission on the Promotion and Protection of Human Rights,[7]

Welcoming the Summit of World Leaders for Action against Hunger and Poverty of 20 September 2004, convened in New York by the Presidents of Brazil,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] Ibid., vol. 1577, No. 27531.

[5] Resolution 2106 A (XX), annex.

[6] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.

[7] See E/CN.4/2006/2-E/CN.4/Sub.2/2005/44, chap. II, sect. A.

Chile and France and the Prime Minister of Spain with the support of the Secretary-General,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Stressing the necessity of better understanding the causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Reaffirming also that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

Recalling Human Rights Council decision 1/102 of 30 June 2006,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration,[8] in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

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[8] See resolution 55/2.

7. *Reaffirms also* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[9]

8. *Reaffirms further* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, striving for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty,[10] and in this context reaffirms the Dakar Framework for Action adopted at the World Education Forum in 2000[11] and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the millennium development goal of universal primary education by 2015;

9. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites her to further pursue the work in this area;

10. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector and the international financial institutions to proceed likewise;

11. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

12. *Takes note* of the reports of the Independent Expert on the question of human rights and extreme poverty[12] submitted to the Commission on Human Rights at its sixty-first and sixty-second sessions and presented to the Human Rights Council at its second session;

13. *Decides* to consider this question further at its sixty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

[9] See resolution 60/1.

[10] Ibid., para. 43.

[11] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[12] E/CN.4/2005/49 and E/CN.4/2006/43.

Draft resolution V
Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000, section III of resolution 55/234 of 23 December 2000, and its resolutions 58/176 of 22 December 2003, 59/183 of 20 December 2004 and 60/151 of 16 December 2005 on the Subregional Centre for Human Rights and Democracy in Central Africa,

Recalling that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[1]

Recalling also the report of the High Commissioner,[2]

Taking note of the holding of the twenty-third and twenty-fourth ministerial meetings of the United Nations Standing Advisory Committee on Security Questions in Central Africa in Brazzaville from 29 August to 2 September 2006, and in Kigali from 25 to 29 September 2006,

Taking note also of the report of the Secretary-General,[3]

Welcoming the 2005 World Summit Outcome,[4] in particular the decision confirmed therein to double the regular budget of the Office of the High Commissioner over the next five years,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide additional funds and human resources within the existing United Nations Office of the High Commissioner for Human Rights to enable the Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy and the rule of law in the Central African subregion;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-second session a report on the implementation of the present resolution.

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[1] See A/CONF.157/24 (Part I), chap. III.

[2] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

[3] A/61/352.

[4] See resolution 60/1.

Draft resolution VI
Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

The General Assembly,

Recalling paragraph 5 (g) of its resolution 60/251 of 15 March 2006, in which it decided that the Human Rights Council should assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights, as decided by the General Assembly in its resolution 48/141 of 20 December 1993,

Taking note of all relevant resolutions on this issue adopted by the General Assembly and the Commission on Human Rights,

Taking note of the relevant reports of the High Commissioner[1] and the Joint Inspection Unit,[2]

Bearing in mind that the imbalance in the actual composition of the staff could result in diminishing the effectiveness of the work of the Office if it is perceived to be culturally biased and unrepresentative of the United Nations as a whole,

Regretting that efforts to address the imbalance regarding the regional geographic diversity of the staff have not resulted in a significant improvement, and noting the low representation from the United Nations regional groups of African, Asian, Eastern European, and Latin American and Caribbean States in the staff of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters,

1. *Decides*, while considering the report of the Joint Inspection Unit:[2]

(a) To provide concrete support and guidance to the United Nations High Commissioner for Human Rights in her ongoing efforts to overcome the status quo;

(b) To allow, in the effort to redress the specific geographic imbalance of the Office of the United Nations High Commissioner for Human Rights, the establishment of a temporary mechanism whereby recruitment of staff in the Office at the P-2 level would not be restricted to successful candidates from the national competitive examination;

(c) To re-evaluate the financing of human rights activities, as noted in the report of the Joint Inspection Unit, with a view to increasing the support from core resources;

2. *Encourages* participation from a broader range of Member States in the associate experts programme and, in this respect, urges participants to increase sponsorship of associate experts from developing countries;

3. *Requests* the Joint Inspection Unit to assist the Human Rights Council to monitor systematically the implementation of the present resolution, inter alia, by

[1] E/CN.4/2006/103.
[2] JIU/REP/2006/3.

submitting in May 2009 to the Human Rights Council a follow-up comprehensive report on the implementation of the recommendations contained in the report of the Joint Inspection Unit pending their fulfilment;

4. *Requests* the United Nations High Commissioner for Human Rights:

(a) To take further measures for the full and effective implementation of the recommendations contained in the report of the Joint Inspection Unit;

(b) To submit a comprehensive and updated report on the basis of paragraph 26 (e) of Commission on Human Rights resolution 2005/72 to the Human Rights Council at its fourth session and to the General Assembly at its sixty-third session;

5. *Requests* the President of the sixty-first session of the General Assembly to bring, as soon as possible, the content of these recommendations to the Fifth Committee of the General Assembly for its consideration.

Draft resolution VII
Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 59/193 of 20 December 2004, and taking note of Commission on Human Rights resolution 2005/57 of 20 April 2005,[1]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[2] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Considering also that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

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[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/3 and Corr.1), chap. II, sect. A.

[2] Resolution 217 A (III).

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies, and increased intercultural exchange through the preservation and promotion of cultural diversity,[3] and reiterates that only through broad and sustained

[3] See A/CONF.189/12 and Corr.1, chap. I

efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) Solidarity, as a fundamental value, by virtue of which global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and ensures that those who suffer or benefit the least receive help from those who benefit the most;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development as well as threats to international peace and security that should be exercised multilaterally,

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[4]

10. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and the special mechanisms extended by the Human Rights Council and the Subcommission on the

[4] See resolution 3201 (S-VI).

Promotion and Protection of Human Rights or its successor expert advice mechanism to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-third session under the item entitled "Promotion and protection of human rights".

Draft resolution VIII
Elimination of all forms of intolerance and of discrimination based on religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights,[1] article 18 of the Universal Declaration of Human Rights[2] and other relevant human rights provisions,

Reaffirming the call of the World Conference on Human Rights upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[3]

Reaffirming also the recognition by the World Conference on Human Rights that all human rights are universal, indivisible, interdependent and interrelated,

Recalling General Assembly resolution 56/6 of 9 November 2001 on the Global Agenda for Dialogue among Civilizations, in which the Assembly recognized the valuable contribution that dialogue among civilizations could make to an improved awareness and understanding of the common values shared by all humankind,

Acknowledging that in order to be effective, such a dialogue should be based on respect for the dignity of adherents of religions and beliefs, as well as respect for diversity and the universal promotion and protection of human rights,

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Considering also that the disregard for and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience, religion or belief, have brought, directly or indirectly, wars and great suffering to humankind,

Recognizing the importance of promoting dialogue among civilizations in order to enhance mutual understanding and knowledge among different social groups, cultures and civilizations in various areas, including culture, religion education, information, science and technology, and in order to contribute to the promotion and protection of human rights and fundamental freedoms,

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[1] See resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

Recalling Commission on Human Rights resolution 2005/40 of 19 April 2005 on the elimination of all forms of intolerance and of discrimination based on religion or belief,[4]

Seriously concerned at all attacks upon religious places, sites and shrines, including any deliberate destruction of relics and monuments,

Seriously concerned also at the misuse of registration procedures as a means to limit the right to freedom of religion or belief of members of certain religious communities and at the limitations placed on religious publications,

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of the freedom of religion or belief,

Convinced of the need to address, for instance, in the context of the Global Agenda for Dialogue among Civilizations[5] and the Alliance of Civilizations the rise in all parts of the world of religious extremism affecting the rights of individuals and groups based on religion or belief, the situations of violence and discrimination that affect many women as a result of religion or belief and the abuse of religion or belief for ends inconsistent with the Charter of the United Nations and other relevant instruments of the United Nations,

Resolved to adopt all necessary and appropriate measures for the speedy elimination of such intolerance based on religion or belief in all its forms and manifestations and prevent and combat discrimination based on religion or belief,

Noting that a formal or legal distinction at the national level between different kinds of religions or faith-based communities may, in some cases, constitute discrimination and may impinge on the enjoyment of the freedom of religion or belief,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expressions, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Recalling the importance of the International Consultative Conference on School Education in relation to Freedom of Religion or Belief, Tolerance and Non-Discrimination, held in Madrid from 23 to 25 November 2001, and continuing to invite Governments to give consideration to the Final Document adopted at the Conference,[6]

Emphasizing that States, regional organizations, non-governmental organizations, and religious bodies and the media have an important role to play in promoting tolerance, respect and freedom of religion or belief,

Recognizing the importance of interreligious and intrareligious dialogue and the role of religious and other non-governmental organizations in promoting tolerance in matters relating to religion or belief,

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[4] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[5] See resolution 56/6.

[6] E/CN.4/2002/73, appendix.

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Welcomes* the work and the report of the Special Rapporteur of the Human Rights Council on freedom of religion or belief;

2. *Condemns* all forms of intolerance and of discrimination based on religion or belief;

3. *Encourages* the efforts made by the United Nations High Commissioner for Human Rights to coordinate in the field of human rights the activities of relevant United Nations organs, bodies and mechanisms dealing with all forms of intolerance and of discrimination based on religion or belief;

4. *Urges* States:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction, inter alia, by the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief, or the right to practise freely one's religion, including the right to change one's religion or belief, is violated;

(b) To exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;

(c) To review, whenever relevant, existing registration practices in order to ensure the right of all persons to manifest their religion or belief, alone or in community with others and in public or in private;

(d) To ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes and the right of all persons to write, issue and disseminate relevant publications in these areas;

(e) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(f) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief and that no one is subjected to torture or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(g) To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion or belief, and that all necessary and appropriate education or training is provided;

5. *Recognizes with deep concern* the overall rise in instances of intolerance and violence directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

6. *Expresses concern* over the persistence of institutionalized social intolerance and discrimination practised against many in the name of religion or belief;

7. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual and electronic media or any other means;

8. *Stresses* the need to strengthen dialogue, inter alia, through the Global Agenda for Dialogue among Civilizations[3] and the Alliance of Civilizations;

9. *Invites* States, the Special Rapporteur, the Office of the United Nations High Commissioner for Human Rights and other relevant entities of the United Nations system, such as the United Nations Educational, Scientific and Cultural Organization, and other international and regional organizations and civil society to consider promoting dialogue among civilizations in order to contribute to the elimination of intolerance and discrimination based on religion or belief, inter alia, by addressing the following issues within the framework of international standards of human rights:

(a) The rise of religious extremism affecting religions in all parts of the world;

(b) The situations of violence and discrimination that affect many women as a result of religion or belief;

(c) The use of religion or belief for ends inconsistent with the Charter of the United Nations and other relevant instruments of the United Nations;

10. *Urges* States to step up their efforts to eliminate intolerance and discrimination based on religion or belief, notably by:

(a) Taking all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to religious minorities, and devoting particular attention to practices that violate the human rights of women and discriminate against women, including in the exercise of their right to freedom of thought, conscience, religion or belief;

(b) Promoting and encouraging, through education and other means, understanding, tolerance and respect in all matters relating to freedom of religion or belief;

(c) Undertaking all appropriate efforts to encourage those engaged in teaching to cultivate respect for all religions or beliefs, thereby promoting mutual understanding and tolerance;

11. *Invites* Governments, religious bodies and civil society to continue to undertake dialogue at all levels to promote greater tolerance, respect and understanding;

12. *Emphasizes* the importance of a continued and strengthened dialogue among and within religion or beliefs, including as encompassed in the dialogue among civilizations, to promote greater tolerance, respect and mutual understanding;

13. *Also emphasizes* that equating any religion with terrorism should be avoided, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

14. *Further emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

15. *Encourages* the continuing efforts in all parts of the world of the Special Rapporteur to examine incidents and governmental actions that are incompatible with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief[7] and to recommend remedial measures, as appropriate;

16. *Stresses* the need for the Special Rapporteur to continue to apply a gender perspective, inter alia, through the identification of gender-specific abuses, in the reporting process, including in information collection and in recommendations;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration, and further encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

18. *Recommends* that the United Nations and other actors, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration in as many different languages as possible by United Nations information centres and by other interested bodies;

19. *Decides* to continue its consideration of measures to implement the Declaration;

20. *Welcomes* the work of the Special Rapporteur and urges all Governments to cooperate fully with the Special Rapporteur and to respond favourably to her requests to visit their countries and to provide her with all necessary information so as to enable her to fulfil her mandate even more effectively;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable her to discharge her mandate fully;

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-second session;

[7] See resolution 36/55.

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its sixty-second session under the item entitled "Promotion and protection of human rights".

Draft resolution IX
Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Recalling its resolution 59/203 of 20 December 2004,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[1] as well as article 12 of the International Covenant on Civil and Political Rights,[2]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[3] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Noting with great concern that while some positive developments have occurred during the past few years in the accomplishment of the objectives highlighted in resolutions 57/227 of 18 December 2002 and 59/203, in particular relating to facilitating the flow of remittances across international borders to help families, in certain cases it has been reported that measures have been adopted that increased the restrictions imposed on documented migrants in relation to family reunification and the possibility of sending remittances to their relatives in the country of origin,

Recalling that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

5. *Decides* to continue its consideration of the question at its sixty-third session under the item entitled "Promotion and protection of human rights".

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

Draft resolution X
The right to food

The General Assembly,

Recalling all its previous resolutions on the issue of the right to food, in particular its resolution 60/165 of 16 December 2005, as well as all resolutions of the Commission on Human Rights in this regard,

Recalling also the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3]

Recalling further the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] See resolution 55/2.

[4] See resolution 2200 A (XXI), annex.

[5] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13-17 November 1996* (WFS 96/REP), part one, appendix.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10-13 June 2002*, part one, appendix; see also A/57/499, annex.

[7] Food and Agriculture Organization of the United Nations, *Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even to increase dramatically in some regions unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources,

Noting that the global environment continues to suffer degradation, causing a negative impact on the realization of the right to food, in particular in developing countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain their physical and mental capacities;

3. *Considers it intolerable* that every five seconds a child under the age of 5 dies from hunger or hunger-related diseases somewhere in the world, that there are about 854 million undernourished people in the world and that, while the prevalence of hunger has diminished, the absolute number of undernourished people has been increasing in recent years when, according to the Food and Agriculture Organization of the United Nations, the planet could produce enough food to feed 12 billion people, twice the world's present population;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

8. *Stresses* that improving access to productive resources and public investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate, small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

9. *Stresses also* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard, calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[8]

10. *Acknowledges* that many indigenous organizations and representatives of indigenous communities have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

11. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

12. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

13. *Recognizes* the need for a successful conclusion of the Doha Development Round negotiations of the World Trade Organization as a contribution for creating international conditions that permit the realization of the right to food;

14. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

15. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and

[8] United Nations, *Treaty Series*, vol. 1954, No. 33480.

invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[7] and the United Nations Millennium Declaration,[8]

16. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

17. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

18. *Stresses* the importance of international development cooperation and assistance, in particular in activities related to disaster risk reduction and in emergency situations such as natural and man-made disasters, diseases and pests, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

19. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa;

20. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

21. *Takes note* of the interim report of the Special Rapporteur of the Human Rights Council on the right to food,[9] and also takes note of his valuable work in the promotion of the right to food;

22. *Supports* the realization of the mandate of the Special Rapporteur as extended by the Human Rights Council in its decision 1/102 of 30 June 2006;[10]

23. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

24. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[11] in which the Committee

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[9] See A/61/306.

[10] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), part one, chap. II.B.

[11] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all,

25. *Recalls* General Comment No. 15 (2002) of the Committee on the right to water (articles 11 and 12 of the Covenant),[12] in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food,

26. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

27. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

28. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

29. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-second session on the implementation of the present resolution;

30. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

31. *Decides* to continue the consideration of the question at its sixty-second session under the item entitled "Promotion and protection of human rights".

[12] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

Draft resolution XI
Combating defamation of religions

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to race, sex, language or religion,

Recalling also the relevant resolutions of the Commission on Human Rights in this regard,

Recalling further the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000,[1] welcoming the resolve expressed in the Millennium Declaration to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels, including in the context of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,[2]

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations,[3] and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil societies to contribute to the implementation of the Programme of Action contained in the Global Agenda,

Welcoming the launch of the Alliance of Civilizations initiative, intended to respond to the need for a committed effort by the international community, in order to promote mutual respect and understanding among different cultures and societies,

Welcoming also the progress achieved in the follow-up to the Durban Declaration and Programme of Action,

Underlining the importance of increasing contacts at all levels in order to deepen dialogue and reinforce understanding among different cultures, religions and civilizations, and noting with regret in this regard the cancellation of the meeting on "Civilization and harmony: values and mechanisms of the global order", which was to be held in Turkey in 2004 as a follow-up to the Organization of the Islamic Conference-European Union Joint Forum on the theme "Civilization and harmony: the political dimension", held in Turkey in 2002,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Convinced that respect for cultural, ethnic, religious and linguistic diversity, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of the different cultures

[1] See resolution 55/2.

[2] See A/CONF.189/12 and Corr.1, chap. I.

[3] See resolution 56/6.

and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing the valuable contributions of all religions to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Reaffirming the need for all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, cultures and religions, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

Underlining the important role of education in the promotion of cultural and religious tolerance and the elimination of discrimination based on religion or belief,

Alarmed at the continuing negative impact of the events of 11 September 2001 on Muslim minorities and communities in some non-Muslim countries, the negative projection of Islam in the media and the introduction and enforcement of laws that specifically discriminate against and target Muslims,

Alarmed also at the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world and threatening the enjoyment of human rights and fundamental freedoms,

Noting with concern that defamation of religions is among the causes of social disharmony and leads to violations of human rights,

Deeply alarmed at the rising trends towards discrimination based on religion and faith, including in some national policies and laws that stigmatize groups of people belonging to certain religions and faiths under a variety of pretexts relating to security and illegal immigration, and noting that the increased intellectual and media discourse is among the factors exacerbating such discrimination,

Noting with deep concern the increasing trend in recent years of statements attacking religions, Islam and Muslims in particular, especially in human rights forums,

1. *Expresses deep concern* about the negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still in evidence in some regions of the world;

2. *Strongly deplores* physical attacks and assaults on businesses, cultural centres and places of worship of all religions as well as targeting of religious symbols;

3. *Notes with deep concern* the intensification of the campaign of defamation of religions and the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;

4. *Expresses its deep concern* that Islam is frequently and wrongly associated with human rights violations and terrorism;

5. *Also expresses its deep concern* about programmes and agendas pursued by extremist organizations and groups aimed at the defamation of religions, in particular when supported by Governments;

6. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination against Islam or any other religion;

7. *Recognizes* that, in the context of the fight against terrorism and the reaction to counter-terrorism measures, defamation of religions becomes an aggravating factor that contributes to the denial of fundamental rights and freedoms of target groups, as well as their economic and social exclusion;

8. *Stresses* the need to effectively combat defamation of all religions, Islam and Muslims in particular, especially in human rights forums;

9. *Emphasizes* that everyone has the right to freedom of expression, which should be exercised with responsibility and may therefore be subject to limitations as provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals and respect for religions and beliefs;

10. *Urges* States to take resolute action to prohibit the dissemination of racist and xenophobic ideas and material aimed at any religion or its followers that constitute incitement to discrimination, hostility or violence;

11. *Also urges* States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions, to take all possible measures to promote tolerance and respect for all religions and their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

12. *Urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that any necessary and appropriate education or training is provided;

13. *Underscores* the need to combat defamation of religions by strategizing and harmonizing actions at the local, national, regional and international levels through education and awareness-raising;

14. *Urges* States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

15. *Calls upon* the international community to initiate a global dialogue to promote a culture of tolerance and peace based on respect for human rights and religious diversity, and urges States, non-governmental organizations, religious bodies and the print and electronic media to support and promote such a dialogue;

16. *Affirms* that the Human Rights Council shall promote universal respect for all religious and cultural values and address instances of intolerance, discrimination and incitement of hatred against any community or adherents of any religion;

17. *Calls upon* the United Nations High Commissioner for Human Rights to promote and include human rights aspects in the dialogue among civilizations, inter alia, through:

(a) Integrating them into topical seminars and special debates on the positive contributions of cultures, as well as religious and cultural diversity, including through educational programmes, particularly the World Programme for Human Rights Education proclaimed on 10 December 2004;[4]

(b) Collaboration by the Office of the United Nations High Commissioner for Human Rights with other relevant international organizations in holding joint conferences designed to encourage this dialogue and promote understanding of the universality of human rights and their implementation at various levels;

18. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on the possible correlation between defamation of religions and the upsurge in incitement, intolerance and hatred in many parts of the world, to the General Assembly at its sixty-second session.

[4] See resolutions 59/113 A and B.

Draft resolution XII
Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 60/169 of 16 December 2005, and recalling also Commission on Human Rights resolution 2005/47 of 19 April 2005,[1]

Reaffirming the Universal Declaration of Human Rights,[2] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State, and to leave any country, including his own, and return to his country,

Recalling the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,[3] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the International Convention on the Elimination of All Forms of Racial Discrimination[7] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[8]

Recalling also the provisions concerning migrants contained in the outcomes of all major United Nations conferences and summits,

Welcoming the establishment of the Human Rights Council, which is responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

Welcoming also the convening of the High-level Dialogue on International Migration and Development, held in New York on 14 and 15 September 2006 for the purpose of discussing the multidimensional aspects of international migration and development, which recognized the relationship between international migration, development and human rights,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the

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[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[5] Ibid., vol. 1249, No. 20378.

[6] Ibid., vol. 1577, No. 27531.

[7] Resolution 2106 A (XX), annex.

[8] United Nations, *Treaty Series*, vol. 2220, No. 39481.

phenomenon, as well as the full respect for the human rights and fundamental freedoms of migrants,

Noting that many migrant women are employed in the informal economy and in less skilled work compared with that of men, which puts those women at greater risk of abuse and exploitation,

Concerned about the large and growing number of migrants, especially women and children, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and underlining the obligation of States to respect the human rights of those migrants,

Underlining the importance for States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone to make informed decisions and to prevent them from utilizing dangerous means to cross international borders,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

1. *Requests* States effectively to promote and protect the human rights and fundamental freedoms of all migrants, regardless of their immigration status, especially those of women and children;

2. *Takes note with interest* of the interim report of the Special Rapporteur on the human rights of migrants;[9]

3. *Calls upon* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[8] as a matter of priority, and requests the Secretary-General to continue his efforts to raise awareness and promote the Convention;

4. *Urges* States parties to the United Nations Convention against Transnational Organized Crime[10] and the supplementing protocols thereto, namely, the Protocol against the Smuggling of Migrants by Land, Sea and Air[11] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[12] to implement them fully, and calls upon States that have not done so to consider ratifying them as a matter of priority;

5. *Takes note* of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its third and fourth sessions;[13]

6. *Requests* all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global

[9] A/61/324.

[10] Resolution 55/25, annex I.

[11] Ibid., annex III.

[12] Ibid., annex II.

[13] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 48* (A/61/48).

character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, destination and transit, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

7. *Expresses concern* about legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

8. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, inter alia, arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

9. *Calls upon* States to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in protecting and promoting the human rights of migrants and avoiding approaches that may aggravate their vulnerability;

10. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

11. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

12. *Encourages* all States to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of remittances of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

13. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family

reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

14. *Requests* Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and the Special Rapporteur of the Human Rights Council on the human rights of migrants, to ensure that the perspective of the human rights of migrants is included among the priority issues in the ongoing discussions on international migration and development within the United Nations system, bearing in mind the discussions of the High-level Dialogue on International Migration and Development held pursuant to General Assembly resolution 58/208 of 23 December 2003;

15. *Requests* the Secretary-General to report on the implementation of the present resolution at its sixty-second session and decides to examine the question further under the item entitled "Promotion and protection of human rights".

Draft resolution XIII
Promotion of equitable and mutually respectful dialogue on human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the Vienna Declaration and Programme of Action,[2] the International Covenants on Human Rights[3] and other relevant human rights instruments,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind,

Stressing the importance of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and achieving international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all,

Emphasizing the responsibilities of all States, in conformity with the Charter, to respect human rights and fundamental freedoms for all, without distinction of any kind of race, colour, sex, language or religion, political or other opinion, national or social origin, property, birth or other status,

Bearing in mind General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council", in particular the decision of the Assembly that the Human Rights Council should undertake a universal periodic review, in a manner that ensures universality of coverage and equal treatment with respect to all States, and the decision of the Human Rights Council[4] on the establishment of an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism, based on an interactive dialogue as well as on objective and reliable information,

Recalling that the General Assembly shall make recommendations for the purpose of promoting international cooperation in the economic, social, cultural, educational and health fields, and of assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that politically motivated and biased country-specific resolutions on the situation of human rights severely undermine the principles of objectivity and non-selectivity in the consideration of human rights issues and are counterproductive to the cause of promoting human rights,

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[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

[3] Resolution 2200 A (XXI), annex.

[4] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), part one, chap. III.B, decision 1/103.

1. *Urges* Member States to further strengthen international cooperation in promoting and encouraging respect for human rights in order to enhance dialogue and broaden understanding among civilizations, cultures and religions;

2. *Calls upon* Member States to base their approaches towards development of international dialogue on human rights on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the Vienna Declaration and Programme of Action[2] and other relevant international human rights instruments and to refrain from approaches that are inconsistent with that international framework;

3. *Reaffirms* that the promotion and protection of human rights and fundamental freedoms, as a legitimate concern of the world community, and the development of international dialogue on human rights should be guided by the principles of universality, non-selectivity, impartiality and objectivity and should not be used for political purposes;

4. *Stresses* the need to avoid politically motivated and biased country-specific resolutions on the situation of human rights, confrontational approaches, exploitation of human rights for political purposes, selective targeting of individual countries for extraneous considerations and double standards in the work of the United Nations on human rights issues;

5. *Affirms* that respect for political, economic and cultural diversity for all contributes to the development of stable and friendly relations among countries and equitable and mutually respectful international dialogue on human rights;

6. *Stresses* the continuing need for unbiased and objective information on the situation of human rights in all countries and the need to present this information in an impartial manner, including through the reports of the special rapporteurs and representatives, independent experts and working groups;

7. *Decides* to consider this matter at its sixty-second session under the item entitled "Promotion and protection of human rights".

Draft resolution XIV
Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993[1] and its subsequent resolutions in this regard,

Bearing in mind the relevant resolutions of the Commission on Human Rights concerning advisory services and technical cooperation in the field of human rights, including its most recent on that subject, resolution 2004/81 of 21 April 2004,[2]

Bearing in mind also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling that the World Conference recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

Welcoming the fact that the Office of the High Commissioner has been systematically pursuing a regional and subregional approach through a variety of complementary means and methods, in order to maximize the impact of the activities of the United Nations at the national level, and that the Office intends to establish new regional offices,

1. *Takes note with satisfaction* of the report of the Secretary-General;[4]

2. *Welcomes* the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

3. *Also welcomes*, in that respect, the close cooperation of the Office of the High Commissioner in the organization of regional and subregional training courses

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[1] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[2] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[3] A/CONF.157/24 (Part I), chap. III.

[4] A/61/513.

and workshops in the field of human rights, high-level governmental expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding in the regions of issues concerning the promotion and protection of human rights, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards and identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;

4. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels, and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

5. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations under the programme of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;

6. *Welcomes* the growing exchanges between the United Nations and the United Nations human rights treaty bodies, on the one hand, and regional organizations and institutions, such as the African Commission on Human and Peoples' Rights, the Community of Portuguese-speaking Countries, the Council of Europe, the Inter-American Commission on Human Rights, the International Organization of la Francophonie, the League of Arab States, the Organization for Security and Cooperation in Europe and other regional institutions, on the other;

7. *Also welcomes* the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions, in particular the deployment to Bishkek of a regional representative for Central Asia;

8. *Further welcomes* the progress achieved in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and, in this regard, notes with interest:

(a) The increasing cooperation between the Office of the High Commissioner and African organizations and suborganizations, in particular the African Union, the Economic Community of Central African States, the Economic Community of West African States and the Southern African Development Community;

(b) The support provided by the Office of the High Commissioner to the African Union for the strengthening of the promotion and protection of human rights in Africa, and welcomes in this regard the establishment of an African Court on Human and Peoples' Rights;

(c) The increased, valuable sharing of concrete national experiences at the thirteenth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Beijing in 2005, regarding the implementation of the Regional Framework for the Promotion and Protection of

Human Rights in the Asia-Pacific Region, which contributes to the enhancement of the promotion and protection of human rights in the region, and welcomes in this regard the establishment of an office of the High Commissioner for the Pacific region in Suva and the steps undertaken by the Office of the High Commissioner for Human Rights to set up a human rights training and documentation centre for South-West Asia and the Arab region, pursuant to General Assembly resolution 60/153 of 16 December 2005;

(d) The ongoing consultations aimed at the possible establishment of regional human rights arrangements held in the context of the Framework among Governments with the support and advice of national human rights institutions and civil society organizations of the Asia-Pacific region;

(e) Activities undertaken within the framework of the regional project of the Office of the High Commissioner for the promotion and protection of human rights in the Latin American and Caribbean region and the strengthening of the cooperation between the Office of the High Commissioner, the Inter-American Commission on Human Rights and the Organization of American States;

(f) Activities undertaken within the framework of cooperation between the Office of the High Commissioner and the League of Arab States;

(g) The continued cooperation towards the realization of universal standards between the Office of the High Commissioner and regional organizations in Europe and Central Asia, namely, the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe, in particular for activities at the country level;

9. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider, with the support and advice of national human rights institutions and civil society organizations, concluding agreements with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

10. *Requests* the Secretary-General to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

11. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation and to make, where necessary, relevant recommendations, and in this regard welcomes the decision of the Office to strengthen national protection systems in accordance with action 2 of the reform programme of the Secretary-General;[5]

12. *Invites* the Secretary-General to provide, in the report that he will submit to the Human Rights Council at its fourth session, information on progress made since the adoption of the Vienna Declaration and Programme of Action[3] on reinforcing the exchange of information and extending collaboration between the

[5] See A/57/387 and Corr.1.

organs of the United Nations dealing with human rights and regional organizations in the field of the promotion and protection of human rights;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a report on the state of regional arrangements for the promotion and protection of human rights, formulating concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights, and to include therein the results of action taken in pursuance of the present resolution;

14. *Decides* to consider the question further at its sixty-third session.

Draft resolution XV
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[2] and its resolution 60/156 of 16 December 2005, and taking note of Commission on Human Rights resolution 2005/54 of 20 April 2005 on the enhancement of international cooperation in the field of human rights,[3]

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[4]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for

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[1] A/CONF.157/24 (Part I), chap. III.

[2] See resolution 55/2.

[3] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[4] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means to enhance international cooperation and dialogue in the United Nations human rights machinery;

11. *Decides* to continue its consideration of the question at its sixty-second session.

Draft resolution XVI
The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Reaffirming also the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing concern over the suspension of the trade negotiations of the World Trade Organization, and stressing the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,[5]

Recalling the outcome of the eleventh session of the United Nations Conference on Trade and Development, held at São Paulo, Brazil, from 13 to 18 June 2004, on the theme "Enhancing the coherence between national development strategies and global economic processes towards economic growth and development, particularly of developing countries",[6]

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] See resolution 55/2.

[5] See World Trade Organization document WT/L/579, available at http://docsonline.wto.org.

[6] See TD/412.

Recalling also all its previous resolutions, Human Rights Council resolution 2006/1[4] and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[8] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Welcoming the outcome of the seventh session of the Working Group on the Right to Development of the Commission on Human Rights, held in Geneva from 9 to 13 January 2006, as contained in the report of the Working Group,[9]

Recalling the Fourteenth Conference of Heads of State and Government of the Non-Aligned Movement, held in Havana from 11 to 16 September 2006, the Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, held in Putrajaya, Malaysia, on 29 and 30 May 2006, and the Fourteenth Ministerial Conference of the Non-Aligned Movement, held in Durban, South Africa, from 17 to 19 August 2004,

Reiterating its continuing support for the New Partnership for Africa's Development[10] as a development framework for Africa,

Recognizing that poverty is an affront to human dignity,

Recognizing also that extreme poverty and hunger are a global threat that requires the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that Goal,

Recognizing further that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

1. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Commission on Human Rights at its seventh session,[9] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

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[7] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), part one, chap. II, sect. A.

[8] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[9] E/CN.4/2006/26.

[10] A/57/304, annex.

2. *Recognizes* the relevance of the decisions contained in Human Rights Council resolution 1/4[1] to renew the mandate of the Working Group and to request the Working Group to meet in the first three months of 2007;

3. *Also recognizes* the relevance of the request of the Human Rights Council to the high-level task force on the right to development to meet before the end of 2006 with a view to implementing the relevant recommendations contained in the report of the seventh session of the Working Group;

4. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and, in this regard, calls upon the Council:

(a) To promote and advance sustainable development and the achievement of the Millennium Development Goals;

(b) To agree on a programme that will lead to the elevation of the right to development to the same level as, in order that it may be on a par with, all other human rights and fundamental freedoms elaborated in the human rights instruments;

5. *Notes with appreciation* that the high-level task force, at its second meeting, examined Millennium Development Goal 8, on developing a global partnership for development, and suggested criteria for its periodic evaluation with the aim of improving the effectiveness of global partnership with regard to the realization of the right to development;[11]

6. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[12] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

7. *Also stresses* that it is important that the high-level task force and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[10] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as a fundamental human right, and also urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the

[11] See E/CN.4/2005/WG.18/TF/3.

[12] E/CN.4/2002/28/Rev.1, sect. VIII.A.

right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level as well as equitable economic relations and a favourable economic environment at the international level;

(d) To consider ways and means to ensure the operationalization of the right to development as a priority, including through further consideration of the elaboration of a convention on the right to development;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, programmes and funds, as well as in policies and strategies of the international financial and multilateral trading system, taking into account in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising out of political or other non-economic considerations, in addressing the issues of concern to the developing countries;

8. *Recognizes* the relevance of the request to the Subcommission on the Promotion and Protection of Human Rights or its successor expert advice mechanism to pursue its ongoing work on the right to development, in accordance with the relevant provisions of General Assembly and Commission on Human Rights resolutions, and in compliance with decisions to be taken by the Human Rights Council, and requests the Secretary-General to report on progress in this regard to the Assembly at its sixty-second session;

9. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum of the Subcommission on the Promotion and Protection of Human Rights, while recognizing the strong support extended to the previous three sessions of the Forum by the Subcommission;

10. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

11. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action,[3] which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

12. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

13. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with each other to that end;

14. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

15. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as a fundamental human right;

16. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels;

17. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

18. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

19. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration[4] of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

20. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

21. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

22. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation; implementation of commitments on implementation-related issues and concerns; review of special and differential-treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

23. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need for good governance and broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

24. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

25. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

26. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

27. *Welcomes* the Political Declaration on HIV/AIDS adopted at the High-level Meeting of the General Assembly on 2 June 2006,[13] stresses that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

28. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

29. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery consistent with the principles of the United Nations Convention against Corruption,[14] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify as soon as possible, and States parties to implement effectively, the Convention;

30. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and

[13] Resolution 60/262, annex.

[14] Resolution 58/4, annex.

realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

31. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council;

32. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

33. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

34. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-second session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chairperson of the Working Group on the Right to Development to present a verbal update to the Assembly at its sixty-second session.

Draft resolution XVII
Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 60/155 of 16 December 2005, and Commission on Human Rights resolution 2005/14 of 14 April 2005,[1]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General,[2] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[3] and the reports of the Secretary-General on the implementation of resolutions 52/120 of 12 December 1997[4] and 55/110 of 4 December 2000,[5]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[6]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development adopted by the World Summit for Social Development on 12 March 1995,[7] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[8] the Istanbul Declaration on Human Settlements and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[9] and their five-year reviews,

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[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[2] E/CN.4/2000/46 and Add.1.

[3] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[4] A/53/293 and Add.1.

[5] A/56/207 and Add.1.

[6] See A/CONF.157/24 (Part I), chap. III, sect. 1, para. 31.

[7] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[8] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[9] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

Expressing its concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[10]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[11] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States to take steps to avoid and to refrain from adopting any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

[10] Resolution 41/128, annex.

[11] Resolution 217 A (III).

4. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest possible time;

6. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

7. *Urges* the Human Rights Council to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

8. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-second session, while reiterating once again the need to highlight the practical and preventive measures in this respect;

10. *Decides* to examine the question on a priority basis at its sixty-second session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution XVIII
Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Recalling its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004 and 60/158 of 16 December 2005, Commission on Human Rights resolutions 2003/68 of 25 April 2003,[1] 2004/87 of 21 April 2004[2] and 2005/80 of 21 April 2005[3] and other relevant resolutions of the General Assembly and the Commission on Human Rights,

Reaffirming that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights law and refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, as well as the need to continue this fight, including through international cooperation and the strengthening of the role of the United Nations in this respect,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law,

Welcoming the establishment by the Commission on Human Rights, in its resolution 2005/80 of the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism,

Recalling its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Welcoming the establishment of the Human Rights Council, which is responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

Recognizing the importance of the United Nations Global Counter-Terrorism Strategy,[4] adopted by the General Assembly on 8 September 2006, and reaffirming its relevant clauses on the measures to ensure respect for human rights for all,

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[1] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. I.

[2] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[3] Ibid., *2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[4] See resolution 60/288.

international humanitarian law and the rule of law as the fundamental basis for the fight against terrorism,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,[5]

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Recognizing that the respect for all human rights, the respect for democracy and the respect for the rule of law are interrelated and mutually reinforcing,

Noting the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Recalling Human Rights Council decision 1/102 of 19 June 2006,[6]

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deplores* the suffering caused by terrorism to the victims and their families, and expresses its profound solidarity with them;

3. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[7] to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;[8]

4. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

5. *Reaffirms* that counter-terrorism measures should be implemented in full consideration of minority rights and must not be discriminatory on the grounds of race, colour, sex, language, religion or social origin;

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[5] See sect. I, para. 17, of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/24 (Part I), chap. III).

[6] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), part one, chap. II.B.

[7] See resolution 2200 A (XXI), annex.

[8] See, for example, General Comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001.

6. *Urges* States to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

7. *Also urges* States, while countering terrorism, to ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights,[9] of the International Covenant on Civil and Political Rights and of the Geneva Conventions of 1949,[10] in their respective fields of applicability;

8. *Opposes* any form of deprivation of liberty that amounts to placing a detained person outside the protection of the law, and urges States to respect the safeguards concerning the liberty, security and dignity of the person and to treat all prisoners in all places of detention in accordance with international law, including human rights law and international humanitarian law;

9. *Reaffirms* that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism;

10. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms and the relevant comments and views of United Nations human rights treaty bodies;

11. *Takes note with interest* of the report of the Secretary-General submitted pursuant to General Assembly resolution 60/158;[11]

12. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and other relevant special procedures and mechanisms of the Commission, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

13. *Takes note with appreciation* of the report of the Special Rapporteur submitted pursuant to Commission on Human Rights resolution 2005/80;[12]

14. *Acknowledges with appreciation* the cooperation between the Special Rapporteur and all relevant procedures and mechanisms of the Human Rights Council as well as the United Nations human rights treaty bodies, and urges them to continue their cooperation, in accordance with their mandates, and to coordinate

[9] Resolution 217 A (III).

[10] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[11] A/61/353.

[12] See A/60/370.

their efforts, where appropriate, in order to promote a consistent approach on this subject;

15. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the urgent appeals of the Special Rapporteur and providing the information requested;

16. *Welcomes* the work done by the United Nations High Commissioner for Human Rights to implement the mandate given to her in resolution 60/158, and requests the High Commissioner to continue her efforts in this regard;

17. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its sixty-second session;

18. *Decides* to consider at its sixty-second session the report of the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Draft resolution XIX
Hostage-taking

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which guarantees, inter alia, the right to life, liberty and security of person, freedom from torture and other cruel, inhuman or degrading treatment, freedom of movement and protection from arbitrary detention,

Recalling also the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,[2]

Taking into account the International Convention against the Taking of Hostages, adopted by the General Assembly in its resolution 34/146 of 17 December 1979, which recognizes that everyone has the right to life, liberty and security of person and considers the taking of hostages an offence of grave concern to the international community, as well as the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly in its resolution 3166 (XXVIII) of 14 December 1973,

Bearing in mind the relevant Security Council resolutions condemning all cases of terrorism, including those of hostage-taking, in particular resolution 1440 (2002) of 24 October 2002,

Mindful of the fact that hostage-taking constitutes a war crime under the Rome Statute of the International Criminal Court[3] and is also a grave breach of the Geneva Conventions of 12 August 1949[4] for the protection of victims of war,

Reaffirming its relevant resolutions, including the most recent, resolution 57/220 of 18 December 2002,

Recalling all relevant resolutions of the Commission on Human Rights on the subject, including its most recent, resolution 2005/31 of 19 April 2005,[5] in which it condemned the taking of any person as a hostage, as well as the statement of the President of the Human Rights Council of 30 June 2006 on the same subject,

Concerned that, despite the efforts of the international community, acts of hostage-taking in different forms and manifestations including, inter alia, those committed by terrorists and armed groups, continue to take place and have even increased in many regions of the world,

Appealing for the humanitarian action of humanitarian organizations, in particular the International Committee of the Red Cross and its delegates, to be

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[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

[3] A/CONF.183/9.

[4] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

respected, in accordance with the Geneva Conventions of 12 August 1949[4] and the Additional Protocols thereto, of 1977,[5]

Recognizing that hostage-taking calls for resolute, firm and concerted efforts on the part of the international community in order, in strict conformity with international human rights standards, to bring such abhorrent practices to an end,

1. *Reaffirms* that hostage-taking, wherever and by whomever committed, is a serious crime aimed at the destruction of human rights and is, under any circumstances, unjustifiable;

2. *Condemns* all acts of hostage-taking, anywhere in the world;

3. *Demands* that all hostages be released immediately and without any preconditions, and expresses its solidarity with the victims of hostage-taking;

4. *Calls upon* States to take all necessary measures, in accordance with relevant provisions of international humanitarian law and international human rights standards, to prevent, combat and punish acts of hostage-taking, including by strengthening international cooperation in this field;

5. *Decides* to remain seized of the matter.

[5] Ibid., vol. 1125, Nos. 17512 and 17513.

Draft resolution XX
Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights[2] and other relevant human rights conventions,

Having regard to the legal framework of the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions,

Welcoming the universal ratification of the Geneva Conventions of 1949,[3] which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Mindful of all its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights on the subject,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Acknowledging that international human rights law and international humanitarian law are complementary and not mutually exclusive,

Noting with deep concern the growing number of civilians and persons *hors de combat* killed in situations of armed conflict and internal strife,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court,[4]

Affirming the obligation of States to prevent the abuse of persons deprived of their liberty and to investigate and respond to deaths in custody,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent a flagrant violation of the right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms;

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[4] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

3. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families, and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions;[5]

4. *Calls upon* all States in which the death penalty has not been abolished to comply with their obligations under relevant provisions of international human rights instruments, including in particular articles 6, 7 and 14 of the International Covenant on Civil and Political Rights[2] and articles 37 and 40 of the Convention on the Rights of the Child,[6] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 and 1989/64;

5. *Urges* all States:

(a) To take all necessary and possible measures, in conformity with international human rights law and international humanitarian law, to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts, and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State, act with restraint and in conformity with international humanitarian law and international human rights law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials[7] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[8]

(b) To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of members of national, ethnic, religious or linguistic minorities, of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason, including sexual orientation, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level, and to ensure that such killings, including those committed by security forces, police and law enforcement

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[5] Economic and Social Council resolution 1989/65, annex.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[7] Resolution 34/169, annex.

[8] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

6. *Also urges* all States to ensure that persons deprived of their liberty are treated humanely and with full respect for their human rights and to ensure that their treatment, including judicial guarantees, and conditions conform to the Standard Minimum Rules for the Treatment of Prisoners[9] and, where applicable, to the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 8 June 1977[10] in relation to all persons detained in armed conflict, as well as to other pertinent international instruments;

7. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions and the fact that one hundred and two States have already ratified or acceded to and a further thirty-seven have signed the Rome Statute of the Court,[4] and calls upon all those States that have not ratified or acceded to the Rome Statute to consider doing so;

8. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in human rights and humanitarian law issues connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the United Nations High Commissioner for Human Rights to support endeavours to that end;

9. *Takes note* of the interim report of the Special Rapporteur to the General Assembly;[11]

10. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

11. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary and arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges him to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

12. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

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[9] See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.88.XIV.1).

[10] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

[11] See A/61/311.

13. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the tools for the fulfilment of the mandate of the Special Rapporteur, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

14. *Expresses its appreciation* to those States that have received the Special Rapporteur, and asks them to examine carefully the recommendations made by the Special Rapporteur, invites them to inform him of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

15. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

16. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

17. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

18. *Requests* the Special Rapporteur to submit a report to the General Assembly at its sixty-second session on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon.